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A

HISTORY OF ENGLAND

1628—1637

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THE

PERSONAL GOVERNMENT

OF

CHARLES I.

A HISTORY OF ENGLAND FROM THE ASSASSINATION OF THE DUKE OF BUCKINGHAM TO THE DECLARATION OF THE JUDGES ON SHIP-MONEY

1628—1637

BY

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CONTENTS

OF

THE SECOND VOLUME.

CHAPTER VIII.

THE BEGINNING OF LAUD'S ARCHBISHOPRIC.

		PAGE
1633	Contrast between Laud and Abbot	1
	Cases of Ludowick Bowyer and Lady Eleanor Davies	4
	Restrictions placed on ordinations	6
	Lecturers and chaplains	7
	Laud's opposition to the influence of the laity in the Church	8
	His view of the Royal authority in the Church	9
	State of St. Paul's	10
	Williams's directions about the Communion-table at Leicester	12
	The Communion-table at St. Gregory's	13
	Complaint of the parishioners	14
	The King's decision	15
	The English churches on the Continent	18
	The congregations at Hamburg	19
	Chaplains in the English regiments in the Netherlands	21
	Increase of emigration to Massachusetts	22
	Order forbidding emigration issued and rescinded	23
	The Puritan Sabbath and the Somersetshire Wakes	24
	Laud's interference with Richardson's order prohibiting them	25
	Report of Bishop Pierce	26
	Order that the Declaration of Sports be read in churches	27
1634	Belief in witchcraft	28
	The Lancashire witches	29

PAGE

Stories of Margaret Johnson, of Frances Dicconson, and of Mary Spencer 31
The Lancashire witches on the stage 32
Immorality of the stage 33
Prynne's *Histriomastix* 34
The Inns of Court masque 37
Shirley's *Gamester* 38
Star Chamber proceedings against Prynne 39
Prynne's sentence 40
His second appearance in the Star Chamber 41
Gradual improvement of the drama 42
Milton's *Comus* 43
Women of Milton and Massinger 44
Society of the Court 45
Case of Henry Jermyn 47
Protestantism of the women of England 48

CHAPTER IX.

THE FIRST WRIT OF SHIP-MONEY.

1633 The League of Heilbronn 50
A benevolence proposed by Nethersole 51
The negotiation in the Netherlands 52
Proposed revolution in the Spanish Netherlands . . 53
Charles offers to support it 54
He is betrayed by Gerbier 55
The struggle for Alsace 56
Importance of Dunkirk to England 57
Overtures of Spain 58
Disgrace of Nethersole 59
1634 Charles's offers to Necolalde 60
Assassination of Wallenstein 62
Union between the two branches of the House of Austria . 63
Charles plans an alliance with Spain 64
Attack made by Laud and Coventry on Portland . . 65
Ship-money from the port-towns suggested by Noy . . 66
Charles's proposed alliance with Spain concealed from the Council 67
He sets forth his need of a fleet to maintain his sovereignty of the seas 68
Death of Noy 69
Death of Sir Edward Coke 71
Dismissal of Chief Justice Heath 72
Holland's Justice Seat in the Forest of Dean 73

		PAGE
	The Justice Seat in Waltham Forest	76
	Legal character of Charles's absolutism	77
	Continued negotiation with Necolalde	78
	The secret treaty with Spain	79
	Pretexts for its concealment	80
	Issue of the Ship-money writs	81
	The battle of Nördlingen	84
	Charles's advice to his sister	86
	The French in Germany	87
	The London petition against Ship-money	88
	Portland's finance	90
1635	His illness and death	91
	The Treasury Commission	92
	Charles urges Spain to conclude the treaty	93
	Treaty between France and the States General	94
	Charles's indignation against France	95
	The Spanish Government agrees to the proposed treaty	97
	In consequence of the outbreak of war between France and Spain, the treaty is left unsigned	98
	The Earl of Lindsey sails in command of the fleet	99
	Failure of the French attack on the Spanish Netherlands	101
	The Peace of Prague	102
	Lindsey returns to the Downs	103
	Dutch breaches of neutrality	104
	Difficulties of Charles's situation	105

CHAPTER X.

WENTWORTH IN IRELAND.

1615	St. John's government of Ireland	107
1622	Falkland Lord Deputy	109
1626-8	The Graces and the contribution	111
1629	Difficulties with the Catholics	115
	Falkland recalled	116
1632	Wentworth Lord Deputy	117
	His system of government	118
1633	Arrives in Dublin	121
	His plans for Ireland	122
	Restores the discipline of the army	123
	His relations with the King	124
	Case of Lorenzo Cary	125
	Trade encouraged	126
	Condition of the Church	128
	Bedell at Kilmore	129

		PAGE
	Wentworth's account of the state of the Church	130
	The Earl of Cork's seizure of Church property—Lady Cork's tomb	132
	Church ceremonies	133
1634	Preparations for a Parliament	134
	Wentworth's resolution about the Graces	135
	His speech at the opening of Parliament	137
	Parties in the House of Commons	139
	Six subsidies granted	140
	Wentworth's struggle with the Catholic party	141
	The Irish Convocation	142
	The English Articles adopted	143
1635	Presbyterianism in Ulster	145
	Proposed Plantations in Ormond and Connaught	146
	English view of Irish affairs	149
	The Londonderry settlement	150
	Forfeiture of the charter	151
	Wentworth's visit to Connaught	151
	Obtains an acknowledgment of the King's title to Roscommon, Sligo, and Mayo	153
	Resistance of the Galway jury	154
	Irish view of Wentworth's policy	157

CHAPTER XI.

THE SECOND WRIT OF SHIP-MONEY.

1635	Alliance between Wentworth and Laud	160
	Laud and Cottington at the Treasury Commission	162
	The Soap patent	165
	Offers of the independent soapmakers rejected	169
	Contention between Laud and Cottington	170
	Quarrel between Laud and Windebank	171
	The Essex Forest Court	172
	Coventry's speech to the Judges	173
	Announces that Ship-money must be paid by all	175
	State of the finances	177
	Increase of the customs	178
	Foreign complications	179
	Issue of the second writ of Ship-money	180
	Appeal to the fundamental laws	181
	The Forest Court in the New Forest	182
	Commission for Dean and Essex Forest	183
	Enlargement of Richmond Park	184
	Cottington expects to become Lord Treasurer	185
	Case of Pell and Bagg in the Star Chamber	186

PAGE
Collection of Ship-money 189
Partial resistance 190
The Judges consulted 192
Was the King sole judge of danger? 193
Charles's offers to Spain and the Emperor 195
Asks that Lorraine may be exchanged for the Palatinate . 196
The Elector Palatine in England 197
Taylor's mission to Vienna 199
The Emperor's offer 200
Fresh difficulties in enforcing the payment of Ship-money . 201
Chambers appeals in vain to the King's Bench . . . 203
State of feeling in the nation 204

CHAPTER XII.

THE METROPOLITICAL VISITATION AND PANZANI'S MISSION.

1634 Thorough in Church and State 205
The metropolitical visitation 206
Visitation of Salisbury 207
1635 Brent's reports 208
Various aspects of nonconformity 211
Character of Laud's interference 212
Order for the removal of the Communion-tables . . . 214
Cases at Ware and Beckington 216
Case of Ward of Ipswich 219
The foreign churches in England 222
General irritation caused by Laud's proceedings . . . 223
Gentlemen brought before the High Commission . . 224
Shelford's *Five Discourses* 225
Baxter's reminiscences 226
Stafford's *Female Glory* 229
Growing fear of Rome 230
Protestantism believed to be in danger 232
Position of the English Catholics 233
1634 Panzani's arrival 236
1635 Panzani's conversations with Windebank 237
Windebank's scheme for suppressing Puritanism . . . 238
Terms of reunion with Rome discussed 239
Panzani's hopes 241
Bishop Montague favours the reunion 242
Brett's mission to the Pope 243
1636 Cottington's intrigues 244
The King decides on making Bishop Juxon Treasurer . . 245
Laud holds aloof from Panzani 247

		PAGE
	Montague's conversation with Panzani	248
	Case of Lady Purbeck	249
	Laud vindicates his right to visit the Universities	252
	Speech of Sir John Coke	253
	Juxon attempts to reconcile Laud and Windebank	254
	Laud's roughness of manner	255
	The King's visit to Oxford	256
	Decoration of the College chapels	258
	No enthusiasm in the streets	259

CHAPTER XIII.

THE EARL OF ARUNDEL'S MISSION TO VIENNA.

1636	Selden's *Mare Clausum*	260
	The Sovereignty of the Seas	261
	Northumberland Admiral of the fleet	262
	Small results of his voyage	263
	Arundel's instructions	265
	Arundel's negotiation at Vienna	266
	Its failure	267
	Leicester's negotiation in France	268
	A Spanish army in France	269
	Discussion of a treaty with France	270
	Failure of the invasion of France	271
	France strong through toleration	272
	Conditions of toleration	274
1634	Measures taken by the home government against the settlements in New England	275
	Resistance in America	276
1635	Proceedings in Massachusetts	278
1634	English noblemen propose to emigrate	280
1635	Vane in Massachusetts	281
	His early life	282
1636	Mrs. Anne Hutchinson	283
	Vane takes her part	284
1637	Discussion between Vane and Winthrop on toleration	285
1632	Baltimore projects the Maryland colony	287
	The charter of Maryland	288
1638	Practical toleration in Maryland	291

CHAPTER XIV.

THE THIRD WRIT OF SHIP-MONEY AND THE DECLARATION OF THE JUDGES.

		PAGE
1636	Theory of Charles's government	293
1635	Wentworth's proposed Plantation in Connaught	294
	Laud warns Wentworth	295
	Wentworth's quarrel with Mountnorris	296
	The dinner at the Lord Chancellor's	298
	The court-martial on Mountnorris	299
	Wentworth's account of his proceedings	301
1636	Wentworth visits England and defends his administration	307
	The King approves of his conduct	310
	Nature of his rule in Ireland	311
	English finance	312
	Issue of the third Ship-money writ	313
	Danby's letter to the King	314
1637	Warwick's protest	316
	Charles prepares to assist his nephew	317
	Fresh overtures from France	319
	Charles consults the Judges on the legality of his levy of Ship-money	320
	Declaration by the Judges	322
	Legal and political aspects of the question	323
	A treaty with France accepted	324
	The King feels certain that the French alliance is secured	325
	Wentworth's comment	326
	Comparison between Wentworth and Richelieu	330
	Nature of Wentworth's mistakes	332
	The French refer the consideration of the treaty to their allies	333
	Windebank's overtures to the Dutch fishermen	334
	Negotiations at Brussels	335
	Northumberland attempts in vain to distribute fishing licenses	336
	Charles's position in the the summer of 1637	337

APPENDIX.

I. Financial tables 342

II. Cases of ministers suspended or deprived by the Court of High Commission 352

INDEX 355

Erratum.

Page 51, line 14, *for* "Necolalde's comment," *read* "The comment of the Spanish Agent, Necolalde."

THE

PERSONAL GOVERNMENT OF CHARLES I.

CHAPTER VIII.

THE BEGINNING OF LAUD'S ARCHBISHOPRIC.

CHAP. VIII.

1633.

On his return from Scotland, Charles had ridden hastily in advance of his retinue, anxious to rejoin the Queen at Greenwich before her approaching confinement. On October 14 she gave birth to a second son, baptised James by Laud in memory of his grandfather.

Aug. 6. Laud named Archbishop.

Laud was no longer Bishop of London. When he entered the King's presence for the first time after he had left Scotland, he received an unexpected greeting. "My Lord's Grace of Canterbury," said Charles, "you are very welcome." The news of Abbot's death had just reached the Court.[1]

Results of his promotion.

The change made by Laud's promotion may not seem to have been great. Before as after his accession to the archbishopric, he was possessed of Charles's fullest confidence, and he had not scrupled to interfere in the King's name in dioceses not his own. In reality the consequences of the change were enormous. Charles was ready to make himself the centre of the ecclesiastical

[1] Heylyn, *Cypr. Angl.* 250.

CHAP. VIII. 1633. Aug 6.

administration, and he had definite ideas on the direction in which he wished to go. But he had not the force of character or the perception of the realities of things at a distance which mark out a great administrator, and determined as he was to make his will felt, he rarely knew enough about what was going on to rouse himself to action. All that was wanting to Charles was supplied by Laud. Every man who had a grievance against the Puritans, who could complain that Church property was embezzled or Church services irregularly performed, that this minister neglected to wear a surplice, and that the other minister omitted to repeat the Creed or the Lord's Prayer, appealed to Laud. As Bishop of London, Laud, if he pleased, could go to the King and procure his order that the complaint should be redressed. But he could hardly conceal from himself that the world looked upon his interference as impertinent. As Archbishop he had his hand upon the spring by which, except in the remote and poor Northern Province, the whole ecclesiastical machinery was moved. His authority might be vague and undefined. There might be some doubt how far he was justified in interfering with the other Bishops. But there could be no doubt that the authority existed, and it was certain that in his hands its claims would be pushed to the uttermost. It was nothing to him that the Bishops would sink into mere agents of a central authority. The danger to society of taking away the habit of initiative from inferior officials was one which was not likely to alarm him. All he cared for was that the right thing should be done, very little that men should put their hearts into their work at the risk of sometimes going a little wrong.

Abbot's last report.

No doubt Abbot had been negligent. To the inertness of character and age he united the inertness of

a man who knew that he was powerless to carry out his ideas in practice. Eight months before his death he had sent in to the King a report of the state of his province. He did not care to know anything about it. The Bishops, 'for ought it appeared,' had been keeping residence. For ought that he could learn, ordinations had been canonically kept. Here and there there had been something wrong, but it would be a comfort to his Majesty to hear that 'so little exorbitancy' could be found.[1] The reins were soon to be grasped by a tighter hand.

1633. Aug.

A Cardinal's hat offered to Laud.

Abbot was scarcely dead when some one, probably an ecclesiastic attached to the household of the Queen, offered Laud a Cardinal's hat if he would place himself at the disposition of the Pope, and the offer was repeated a fortnight later. "Something dwells within me," was the reply of the new Archbishop, "which will not suffer me to accept that till Rome be other than it is."

Laud's principles.

Neither the emissaries of Rome nor the Puritans who charged Laud with entering into a secret understanding with Rome understood his character. Half the dogmatic teaching of the Papal Church, half the dogmatic teaching of the Calvinist Churches, was held by him to be but a phantom summoned up by the unauthorised prying of vain and inquisitive minds into mysteries beyond the grasp of the intellect of man, as unreal as were the Platonic ideas to the mind of Aristotle. The craving after certainty which sent the Calvinist to rest upon the logical formulas of his teacher, and which sent the Roman Catholic to rest on the expositions of an infallible Church, had no charms for him. It was sufficient for him that he knew enough, or thought he knew enough, to guide his steps in the practical world around him. As he shunned the extremes of intellectual life, so too

[1] Abbot's Report, Jan. 2, 1633. *Laud's Works*, v. 309.

CHAP. VIII. 1633. Aug.

did he shun the extremes of emotional life. The fervour of asceticism, and the sharp internal struggles by which the Puritan forced his way to that serene conviction of Divine favour which he called conversion, were to Laud mere puerile trivialities which a sober and truthful man was bound to avoid.

Laud not suited to his work.

Soberness of judgment in matters of doctrine, combined with an undue reverence for external forms, an entire want of imaginative sympathy, and a quick and irritable temper, made Laud one of the worst rulers who could at this crisis have been imposed upon the English Church. For it was a time when in the midst of diverging tendencies of thought many things were certain to be said and done which would appear extravagant to his mind, and when the bond of unity which he sought to preserve was to be found rather in identity of moral aim than in exact conformity with any special standard. The remedy for the diseases of the time, in short, was to be sought in liberty, and of the value of liberty Laud was as ignorant as the narrowest Puritan or the most bigoted Roman Catholic.

Rumours of Laud's leanings to Rome.

Those who are most prone to misunderstand others are themselves most liable to be misunderstood. The foreign ecclesiastic, if such he was, who offered Laud a Cardinal's hat, did not stand alone in his interpretation of the tendencies of the new Archbishop. One Ludowick Bowyer, a young man of good family, who may have been mad, and was certainly a thief and a swindler, went about spreading rumours that Laud had been detected in raising a revenue for the Pope, and had been sent to the Tower as a traitor. The Star Chamber imprisoned him for life, fined him 3,000*l.*, ordered him to be set three times in the pillory, to lose his ears, and to be branded on the forehead with the letters L and

Case of Ludowick Bowyer.

Nov. 30.

R, as a liar and a rogue. "His censure is upon record," wrote Laud coolly in his diary, "and God forgive him."[1]

Case of Lady Eleanor Davies.

Whether Ludowick Bowyer was mad or not, there can be no doubt of the insanity of Lady Eleanor Davies, the widow of the poetic Irish Chief Justice, Sir John Davies. Two years before, her brother, the Earl of Castlehaven, had been executed for the commission of acts of wickedness so atrocious and disgusting as to be explicable only by confirmed aberration of mind. His sister's madness was fortunately only shown in words. She believed herself a divinely inspired interpreter of the prophecies of Daniel, and she published a book in which she recorded her ravings. She was brought before the High Commission. On the title-page was printed backwards her maiden name, Eleanor Audeley, followed by the anagram, Reveale O Daniel. Sir John Lambe pointed out that to make this correct, an I had to be substituted for a Y, and suggested as a truer result from 'Dame Eleanor Davies,' 'Never so mad a ladie.'[2] Loud laughter followed, but the poor woman was not allowed to benefit by the jest. She was imprisoned in the Gatehouse and fined 3,000*l.* She immediately discovered that Laud was the Beast in the Revelation, and that he would die before the end of November.[3] Such a case was precisely one in which Laud, if he had

Oct.

[1] Kendrick to Windebank, Sept. 13. Same to Windebank, Sept. 26, Oct. 5. Windebank's Notes, Nov. 13. *S. P. Dom.* ccxlvi. 28, 82, ccxlvii. 21, ccl. 59. Laud to Wentworth, Nov. 15. *Strafford Letters*, 1, 155; sentence. *Rushworth*, ii. App. 65. The fine appears never to have been paid.

[2] As Heylyn tells the story, and it has constantly been repeated, she tried to get the anagram out of Eleanor Davis. What I have given must be right, as it stands so on the title-page. Lambe's anagram is only right by spelling Davies. The book is in *S. P. Dom.* cclv. 21.

[3] Nicholas to Pennington, Oct. 28. Lines and petition. *S. P. Dom.* ccxlviii. 65, 93, cclv. 20.

CHAP. VIII. 1633. Sept.

had any magnanimity in him, would have used all his influence in favour of a relaxation of the punishment of a lady whose follies were their own punishment, and who, if she needed restraint, needed restraint of a tender and affectionate kind. The sentence was, however, carried out with extreme severity. Lady Eleanor's daughter petitioned in vain that her mother might be allowed to take the air, and that 'for womanhood's sake' she might have some one of her own sex to attend upon her, as well as some grave divines to comfort her in the troubles of her mind.[1]

Laud's harshness.

The sharpness and irritability with which Laud was commonly charged was not inconsistent with a readiness to use persuasion rather than force as long as mildness promised a more successful issue. When once he discovered that an opponent was not to be gained over, he lost all patience with him. He had no sense of humour to qualify the harshness of his judgment. Small offences assumed in his eyes the character of great crimes. If, at the Star Chamber, any voice was raised for a penalty out of all proportion to the magnitude of the fault, that voice was sure to be the Archbishop's.

Sept. 19. Restriction of ordination.

Almost immediately after Laud's promotion he received a letter from the King which was doubtless written at his own instigation. In this letter he was directed to see that the Bishops observed the canon which restricted their ordinations to persons who, unless they held certain exceptional positions, were able to show that they were about to undertake the cure of souls.[2] In this way the door of the ministry would be barred against two classes of men which were regarded by the Archbishop with an evil eye, and at

[1] Petition of Lady Hastings. *S. P. Dom.* cclv. 21.

[2] The King to Laud, Sept. 19. *Heylyn*, 240.

CHAP. VIII.
1633. Sept. 19.

whom he had already struck in the King's Instructions issued four years before.[1] No man would now be able to take orders with the intention of passing his life as a lecturer, so as to escape the obligation of using the whole of the service of the Prayer-book. Nor would any man be able to take orders with the hope of obtaining a chaplaincy in a private family where he would be bound to no restrictions except those which his patron was pleased to lay upon him. Only peers and other persons of high rank were now to be permitted to keep chaplains at all.

Lecturers and chaplains.

Undoubtedly the system thus attacked was an evil system. The separation between the lecturer who preached and the conforming minister who read the service was admirably contrived to raise feelings of partizanship in a congregation and division amongst the clergy themselves. The lecturer who sat in the vestry till the prayers were over and then mounted the pulpit as a being infinitely superior to the mere reader of prayers who had preceded him, was not very likely to promote the peace of the Church. The system of chaplaincies was fraught with evils of another kind. The chaplain of a wealthy patron might indeed be admitted as the honoured friend of the house, the counsellor in spiritual difficulties, the guide and companion of the younger members of the family. But in too many instances the clergyman who accepted such a position would sink into the dependent hanger-on of a rich master, expected to flatter his virtues and to be very lenient to his faults, to do his errands and to be the butt of his jests. Promoters of ecclesiastical discipline like Laud and dramatic writers who cared nothing for ecclesiastical discipline at all, were of one mind in condemning a system which brought the ministers of the gospel into a posi-

Faults of the system.

[1] See Vol. I. p. 163.

CHAP. VIII.

1633.

tion in which they might easily be treated with less consideration than a groom.[1]

Sept. 19. Its uses.

Nevertheless the system had not been entirely mischievous. Hitherto the upper classes by the appointment of chaplains, the middle classes by the appointment of lecturers, had preserved, in a very irregular manner, some security that they should not be compelled to listen to religious instruction which they regarded as untrue. It was to be so no longer. Yet if the English people was not to be handed over to be moulded into the shape which suited any religious party which happened to gain for the moment the favour of the Crown, the right to select its own instructors must one day or another be restored to it. By restricting the right of teaching to those who had the sanction of the authorities, Laud was creating a necessity for that system of toleration which would give back in a wider and more open manner that which he had taken away. Resistance to Laud was not easy. Yet symptoms were not wanting that his persistent efforts to bring the clergy under control were being met by a growing distrust of the authorities

Sept. 2. Raine's will.

of the Church. One Raine, for instance, a citizen of London, left a small sum in his will for the support of a lecturer. The lecturer was to be appointed by the Drapers' Company. He was to read the prayers of the Church of England. But the testator was not without disquieting fears for the future of the Church. He added that if there should be any alteration of religion, his bequest was to lapse to the Company. Against the

[1] Macaulay exaggerates when he says 'nor would it be easy to find in the comedy of the seventeenth century a single instance of a clergyman who wins a spouse above the rank of a cook.' In Fletcher's *Scornful Lady*, which he quotes, Roger marries 'a waiting gentlewoman,' *i.e.*, a lady of equal birth with her mistress, taking service, as Buckingham's mother did, on account of poverty.

CHAP. VIII.

1633. Sept. 19.

mode in which Raine had directed the appointment of the lecturer to be made Laud determinately waged war. "My most humble suit to your Majesty," he wrote in his first report of the state of his diocese, "is that no layman whatsoever, and least of all Companies and Corporations, may, under any pretence of giving to the Church or otherwise, have power to put in or put out any lecturer or other minister." "Certainly," wrote Charles in the margin, with emphatic approbation, "I cannot hold fit that any lay person or corporation whatsoever should have the power these men would have to themselves. For I will have no priest have any necessity of a lay dependency. Wherefore I command you to show me the way to overthrow this, and to hinder the performance in time of all such intentions."[1]

Laud's view of the Royal authority.

Laud's intense concentration upon the immediate present hindered him from perceiving the ultimate consequence of his acts. His strong confidence in the power of external discipline to subdue the most reluctant minds encouraged him to seize the happy moment when the King, and, as he firmly believed, the law, was on his side. Deeper questions about the suitability of any law to human nature in general or to English nature in particular he passed over as irrelevant. He did not indeed look to the King to carry out some ideal which the law knew nothing of. He had 'ever been of opinion that the King and his people' were 'so joined together in one civil and politic body, as that it' was 'not possible for any man to be true to the King that shall be found treacherous to the State established by law, and work to the subversion of the people.'[2] In his eyes, no doubt the King was possessed

[1] Laud's Report, Jan. 2, 1634. *Works*, v. 317.
[2] *Works*, iii. 396.

CHAP. VIII. 1633.

of legal powers which the medieval churchman would have regarded as a tyrannical usurpation. As the King administered justice by his Judges, and announced his political resolutions by his Privy Council, so he exercised his ecclesiastical authority through his Bishops or his Court of High Commission.[1] The Bishops might give him advice which he would not find elsewhere, and they might owe their power to act to a special Divine appointment. But all their jurisdiction came from the Sovereign as clearly as the jurisdiction of the King's Bench and the Exchequer came from him.[2] Hence Laud cared as little for the spiritual independence of Bishops as he cared for the spiritual independence of congregations. His counterpart in our own times is to be found, not in the ecclesiastics who magnify the authority of the Church, but in the lawyers who, substituting the supremacy of the House of Commons for the supremacy of the Crown, strive in vain to reply to all spiritual and moral questionings by the simple recommendation to obey the law.

Repairs at St. Paul's.

Laud understood far better how to deal with buildings than with men. The repairs of St. Paul's were being carried briskly on under the superintendency of Inigo Jones. During the remainder of Laud's time of power from 9,000*l.* to 15,000*l.* a year were devoted to the work, arising partly from contributions more or less of a voluntary nature, partly from fines imposed by the High Commission which were set aside for the purpose. Much to the King's annoyance rumours were spread that the greater part of this money was not to be applied to the building at all,[3] but went to swell the failing revenues of the Crown. The restoration of the

[1] *Works*, iv. 141.

[2] *Ibid.* iii. 396.

[3] Montague to the clergy of his diocese, 1633? Laud to the Lord Mayor, Jan. 22. The King to Laud, Apr. 23. *S. P. Dom.* cclvii. 114, cclix. 22, cclxvi. 21.

1633. Oct.

external fabric drew attention to an abuse of long standing. The nave and aisles had, from times beyond the memory of men then living, been used as places of public resort. Porters carried their burdens across the church as in the open street. Paul's Walk, as the long central aisle was called, was the rendezvous of the men of business who had a bargain to drive, and of the loungers whose highest wish was to while away an idle hour in agreeable society. To the men of the reigns of James I. and Charles I. it was all that the coffee-houses became to the men of the reigns of Charles II. and James II., and all that the club-houses are to the men of the reign of Victoria. There were to be heard the latest rumours of the day. There men told how some fresh victory had been achieved by Gustavus, or whispered how Laud had sold himself to the Pope, and how Portland had sold himself to the King of Spain. There too was to be heard the latest scandal affecting the credit of some merchant of repute or the good name of some lady of title. When the gay world had moved away, children took the place of their elders, making the old arches ring with their merry laughter. The clergy within the choir complained that their voices were drowned by the uproar, and that neither prayers nor sermon reached the ears of the congregation.

State of the interior.

With this misuse of the Cathedral church of the capital, Charles, not a moment too soon, resolved to interfere. He issued orders that no one should walk in the nave in time of service, that burdens should not be carried in the church at all, and that the children must look elsewhere for a playground. In order to meet the wants of the loungers excluded from their accustomed resort, he devoted 500*l.* a year to the building of a portico at the West end, for their use. The straight lines of the Grecian architecture of the

Charles interferes.

CHAP. VIII. 1633. Oct.

portico contrasted strangely with the Gothic traceries above. But if it reminds us as we see it in the old prints; of the deadness of feeling with which even a great artist, such as Inigo Jones, regarded the marvels of medieval architecture, it may also bring before us the memory of one instance in which Charles thought it necessary to conciliate opposition.[1]

The chapel at Lambeth.

In his care for St. Paul's, Laud was not likely to neglect his own chapel at Lambeth. Abbot had left it in much disorder. Fragments of painted glass were mingled confusedly with white spaces in the windows. The painted glass was now restored to the condition in which it had originally been when placed there by Archbishop Morton. It contained scenes from the Old and New Testament; a representation of the Saviour hanging upon the Cross—a crucifix as the Puritans termed it—occupying the East end. When the windows were completed, the Communion-table was moved to the eastern wall. Towards this the Archbishop and his chaplains bowed whenever they entered. There does not seem to have been anything gorgeous or pompous in the ceremonial observed to distinguish it from that which is to be seen in almost every parish church in England at the present day.

June. The Communion-table at Leicester.

The taste for church restoration was not confined to Laud. Williams, opposed as he was to Laud's ecclesiastical system, sympathised with him in his love of church music and decoration. At Leicester the chancel of a parish church had been converted into a library. Williams persuaded the inhabitants to restore it to its original use, and to provide elsewhere a room

[1] *Council Register*, Jan. 18, 1632. Report by Noy and Rives, March. Windebank to the King, Oct. 20. Articles by the King, 1632? *S. P. Dom.* ccxiv. 94, ccxxiv. 20, ccxxix. 116. Compare Dugdale, *Hist. of St. Paul's*, 145.

CHAP. VIII. 1633.

for the books. He headed a subscription list for the increase of the library, and directed that the Communion-table should be placed in the restored chancel, and should be moved down when needed for use in accordance with the precedent which he had established at Grantham.

Sept. 18. Letter of Williams.

In a letter addressed to the Mayor of Leicester, Williams laid down the principles on which he acted. The table, he said, was to stand on steps at the upper end, 'at such times as it shall not be used in the participation of' the 'sacred mysteries.' "At that time," he added, "the law doth appoint it shall be set in the most convenient place either of the chancel or body of the church, whereunto the people may have best access, and where the minister that officiates may be most audibly heard, which, as I am informed, is the place where it stood before. Let it therefore at such times be placed there again, until by complaint of the minister or churchwardens of the inconvenience thereof, I shall give order to the contrary. Only both then and at other times my earnest suit unto you is that your table may be fairly covered and adorned wheresoever it stands, that whereas all men that are not extremely malicious, must needs commend your wise and discreet managing of the civil, idle people may have no occasion to tax your disposing of church affairs, and I assure you that a little charge in this kind would be well placed, being a thing acceptable to God, to the King, and to all good people."[1]

The Communion-table at St. Gregory's.

It is hardly open to doubt that Williams's decision would have been accepted as satisfactory by the

[1] Williams to Burdin, June 19. Williams to the Mayor of Leicester, Sept. 18. *S. P. Dom.* ccxli. 18, ccxlvi. 42. The date of this last letter controverts Heylyn's statement (*Cypr. Angl.* 269) that Williams's directions were intended as an answer to the King's decision in the case of St. Gregory's.

CHAP. VIII. 1633.

majority of religious people in England. It would not be acceptable to the King and the Archbishop. Under their guidance another restoration had led to a very different result. For two years the little church of St. Gregory's which nestled under the lofty fabric of St. Paul's, as St. Margaret's stands to this day under Westminster Abbey, had been undergoing extensive repairs.[1] The cost, exceeding 2,000*l.*, had been borne by the parishioners. The parish was exempt from the jurisdiction of the Bishop, and was placed under the care of the Dean and Chapter of St. Paul's, by whom authority was now given to place the Communion-table altarwise at the East end, and to surround it there with railings, on the ground that it had been treated with irreverence whilst standing in the nave, where some persons "had not been ashamed to sit on it, others to write, others to transact there other and perhaps viler matters of business, distinguishing nothing or little between the Lord's table and a profane or convivial table."

Oct. 18. Complaint of the parishioners.

As soon as the change had been made, five of the parishioners complained to the Court of Arches. They alleged that in parish churches the custom was that the table should stand in the nave or chancel, not altarwise, but so that 'one end might be towards the West, in order that the minister might stand at the North side.'[2]

Nov. 3. The question before the Council.

The King would not suffer the suit to be carried on. The Dean of Arches, Sir Henry Marten, was certain to decide in favour of the complainants.[3] The preroga-

[1] Stow's *London*, iii. 227.

[2] The original act was destroyed in the Fire of London, but a copy has been preserved, of which Mr. Napper kindly lent me a photograph. A translation was read by him before the Surrey Archæological Society in 1871, and was edited for their Transactions by Mr. J. G. Nichols.

[3] Articles. Oct. 18. *S. P. Dom.* ccxlviii. 18.

1633. Nov. 3.

tive of the Crown in ecclesiastical matters was more vaguely defined even than in civil matters, and the King's right to interfere immediately was perhaps recognised by the Act of Supremacy. Charles therefore stopped the proceedings, and summoned the parties, as well as the Judge, before the Privy Council, there to discuss the matter in his own presence. Marten, as might be expected, was deeply annoyed, and he shewed his vexation by his language. The Communion-table in its new place, he said, would make a good Court cupboard. 'Arundel and Portland argued that it was unfit that the table should stand one way in the mother church, and quite otherwise in the parochial annexed.' Laud spoke strongly in favour of the change. After the arguments on both sides were exhausted, Charles gave his decision.

The King's decision.

"His Majesty . . . was pleased to declare his dislike of all innovations and receding from ancient constitutions grounded upon just and warrantable reasons, especially in matters concerning ecclesiastical order and government, knowing how easily men are drawn to affect novelties, and how soon weak judgments in such cases may be overtaken and abused . . . He was also pleased to observe that if these few parishioners might have their wills, the difference thereby from the foresaid Cathedral mother church, by which all other churches depending thereon ought to be guided, would be the more notorious, and give more subject of discourse and disputes that might be spared, by reason of St. Gregory's standing close to the wall thereof." Then, after glancing at the plea of the parishioners, who had abandoned the firm ground of Williams's settlement, to argue 'that the Book of Common Prayer and the eighty-second Canon do give permission to place the Communion-table where it

CHAP. VIII.

1633. Nov. 3.

may stand with most fitness and conveniency,' the King proceeded to lay down the law of the future. "For so much," he said, "as concerns the liberty given by the said Common Prayer-book or Canon, for placing the Communion-table in any church or chapel with most conveniency; that liberty is not so to be understood as if it were ever left to the discretion of the parish, much less to the particular fancy of any humorous person, but to the judgment of the ordinary, to whose place and function it doth properly belong to give direction in that point, both for the thing itself and for the time when and how long, as he may find cause." In this case the Dean and Chapter of St. Paul's were the ordinaries, and Marten was therefore directed to give judgment against the complainants, if they persisted in their suit.[1]

Importance of this decision.

The decision thus given was in accordance with Charles's principles of government. In political matters he demanded from his subjects the strict observance of the law, whilst he reserved to himself a discretionary power to modify it according to circumstances, or, in other words, according to his own wishes. The same principle was now to be applied to ecclesiastical affairs. The habitual practice of congregations, the feelings and prejudices of the parishioners were to be set at naught, in order that a law passed in another age and under other conditions might be enforced against them. But whilst no regard was to be paid to them, a discretionary power was to remain in the hands of the Bishops to modify and apply the law as they thought best.

The discretion of the Bishops.

The working of such a principle would depend on the amount of discretion which the Bishops happened

[1] Prynne, *Cant. Doom*, 87; *Laud's Works*, iv. 225. This judgment quite accounts for the fact that the laity did not afterwards appeal to the Courts. They had no chance of obtaining a hearing.

CHAP. VIII.
1633. Nov. 3.

to possess. Used to smooth away asperities, and to modify the hard rule of the law in accordance with the devotional tendencies of various congregations, such a power might have been productive of the greatest advantages. It might have facilitated the passage from the old world of enforced conformity to the new world of diversity and life. It was not so that Charles and Laud understood the discretion which they claimed. What they asserted was the right of the Bishop to set aside the spirit of the law and the wishes of the congregation at one and the same time.[1] In this way they simply dealt a deathblow to the Elizabethan compromise which Williams had attempted to revive. That compromise, embodied as rubric and canon, plainly contemplated a table to be moved from one place to another at the time of administration. The King's decision deliberately avoided any recognition of this. If under cover of interpreting the law, Charles had not openly violated the law, he had at least given every encouragement to its evasion.[1]

The question of decency

No doubt, if the Elizabethan compromise was to be set aside, the practice recommended by Laud was more commendable on the score of decency than that which had been generally adopted. It was not becoming that a table used for purposes upon which both parties looked with reverence should stand where men could put their hats on it, scribble accounts on it, or sit on it. The irreverent action was doubtless in many cases a symbol of an irreverent mind. A church was often looked upon as a place in which sermons were to be heard comfortably, and not as a house of prayer. "Pews,"

[1] It is true that Charles laid stress on the fact that only five persons had appealed. But without further enquiry, this fact was unimportant. The poorer or less influential members of the congregation may have left their case to be represented by the five.

CHAP. VIII.

1633. and of principle.

said the witty Bishop Corbet, "are become tabernacles with rings and curtains to them. There wants nothing but beds to hear the word of God on."[1] But the position of the Communion-table could never be a question of mere decency. The table at the East was the outward expression of one set of religious ideas. The table in the centre was the outward expression of another set of religious ideas. Elizabeth had done her best, awkwardly it might be, to avoid a conflict between them. Laud now threw compromise aside. If the decision in the case of St. Gregory's was to be enforced upon all other parish churches in England, a tempest might be raised which it would be difficult to lull.

Laudian Bishops.

It was hardly likely that the temptation to convert this decision into a uniform rule would be avoided. As vacancies occurred the Sees were being filled with Bishops after Laud's own mind. Juxon, who had succeeded Laud as President of St. John's, now succeeded him as Bishop of London. Noted as he was for the suavity of his manners and the placability of his disposition, he had no kindness to spare for nonconformists. Upon Harsnet's death, Neile, so lately translated to Winchester, was translated to York, and Laud had the satisfaction of knowing that the Northern Archbishopric was in the hands of a disciplinarian as strict as himself. Pierce went to Bath and Wells, Corbet to Norwich, Bancroft to Oxford, Lindsell to Peterborough, Curle to Winchester, all of them men ready to carry out the schemes of the Archbishop. Morton, who atoned for Calvinistic opinions in theology by his respect for the ceremonies of the Church, followed Howson at Durham.

The English churches on the Continent.

Laud's anxiety to secure uniformity in England led him to cast suspicious glances across the sea. It is

[1] Corbet's speech to the clergy, Apr. 29, 1634. *S. P. Dom.* cclxvi. 58.

true that he never troubled himself with the condition of the Continental Protestants. He never dreamed of establishing an Anglican propaganda among the Dutch, the French, or the Germans. When John Durie, a Scotch clergyman who had been attached to Spens's household, came to England to ask for means to enable him to travel in order to bring about a union between the Lutheran and the Calvinistic Churches of the Continent he met with but a languid support from the Archbishop. Laud held it to be his business to reduce the Church of England to order, not to meddle with other Churches. He could speak without irritation of Presbyterianism beyond the sea as long as the Presbyterians were not subjects of King Charles. But it was altogether another matter if Englishmen acquired Presbyterian habits abroad. It might be of little importance to him how these men prayed or preached at the Hague or Rotterdam. But they would some time or another return to England, bringing with them an infection which might taint the flock under his care.

1632. The Hamburg congregation.

It seemed that as soon as Englishmen engaged in commerce left their native soil, their first thought was to throw away the Prayer-book. One day, as Pennington was lying in the Elbe off Hamburg, he was asked to allow Dr. Ambrose, a clergyman on board, to preach in the English church. When the time came for the service to commence, Ambrose called for a Bible and Prayer-book. A Bible was easily forthcoming, but no Prayer-book was to be had. Ambrose drew one out of his pocket, and began reading. The congregation was soon in an uproar, and the officials begged him to desist. "If you will have no prayers," he replied, "you shall have no sermon," and walked out of the church.[1] In the Netherlands the Prayer-book was equally neglec-

[1] Heylyn, *Cypr. Angl.* 219.

CHAP. VIII.

1632.

The congregations in the Netherlands.

ted. John Forbes, who had been expelled from Scotland for maintaining the independence of the General Assembly against James,[1] preached at the Merchant Adventurers' church at Delft. Hugh Peters presided over a congregation of Englishmen at Rotterdam, and drew his salary from the States General.[2] These and other English Churches were organised after the Presbyterian or Separatist model, with elders and deacons. The opinions which prevailed were embodied in a book written by Dr. Ames, the *Fresh suit against human ceremonies*. "We," he wrote, "as becometh Christians, stand upon the sufficiency of Christ's institutions for all kinds of worship, and that exclusively. The word," say we, "and nothing but the word in matters of religious worship." "The prelates rise up on the other side, and will needs have us allow and use certain human ceremonies of religion in our Christian worship. We desire to be excused as holding them unlawful."[3]

The difference between Laud and the extreme Puritans could not be more sharply expressed. Laud did not see that he was doing his best to make Ames's theory popular. As yet, by Ames's own confession, only a very small minority adopted it in England. Already, however, English clergymen deprived for nonconformity were flocking over to Holland, and it was not without reason that Laud feared that the principles which they were sowing in the Netherlands would one day bear fruit in England.

Pressure might easily be brought to bear on the Delft congregation which was supported by the Merchant Adventurers. Sir William Boswell, the English Minister at the Hague, was directed to see that Laud's

[1] *Hist. of Eng. from the Accession of James I.* i. 537.

[2] *Brereton's Travels*, 6.

[3] *Fresh suit*. Pref. Sig. h.

CHAP. VIII.

1632.

instructions were carried out, and he had Misselden, the deputy of the Company, on his side. Forbes himself, now too old to engage in further contest, expressed his readiness to resign his office.[1] He was summoned to England, gave up his relations with the church at Delft, and was succeeded by a minister chosen by Laud. In the summer of 1634 the Prayer-book was read in the Merchant Adventurers' church, much to the dissatisfaction of those who were compelled to listen to its unaccustomed sound.[2]

1633. March.

1634. The Prayer-book introduced.

In the English regiments in the Dutch service, the practice varied with the disposition of the Colonel. In the regiment commanded by Lord Vere of Tilbury, the veteran who, as Sir Horace Vere, had commanded in the Palatinate, a few prayers taken from the Prayer-book were used by the chaplain, Stephen Goffe, in the summer of 1632. The Dutch Council of State, by which the chaplains were paid, took umbrage, and directed that no novelties should be introduced. Many of the English officers, however, took Goffe's side, and the Prayer-book was sent by the Council to the Divinity Professors of Leyden for examination. Boswell took high ground, bidding the Professors to consider 'into what a labyrinth they might cast themselves' if they presumed to pass judgment on the Liturgy of the Church of England. The Professors drew back, and contented themselves with suggesting the danger of allowing English Bishops to exercise jurisdiction in the Netherlands. Boswell having tamed the Professors, turned to the Council of State. English soldiers, he said,

1632. Chaplains in the English Regiments.

1633. April.

[1] Instructions to Boswell, Aug. 2, 1632; Declaration of the Merchant Adventurers, Nov. 27; Misselden to Windebank, Jan. 22, 1633; Boswell to Coké, March 8; Order of the States General, Apr. $\frac{12}{22}$; Boswell to Coke, Apr. 30. *S. P. Holland.*

[2] Boswell to Coke, Sept. 5. *S. P. Holland.* Gough to Sheldon, Feb. 3; Laud and Juxon to the Merchants, June 21. *S. P. Dom.* clx. 13; clxx. 5.

CHAP. VIII. 1633.

had always used their Prayer-book. They were fed with it as with their mothers' milk. As the officers were mainly on Laud's side, the recalcitrant chaplains were removed and replaced by others more conformable.

Separatist congregations.

The more independent English congregations were beyond the reach of Laud. Hugh Peters continued to preach at Rotterdam against innovation and corruption.[1] Before long he was joined by John Davenport, one of the late feoffees, who hoped to instal himself as minister of a congregation at Amsterdam. To Boswell's glee, the Dutch magistrates of that Calvinistic city had their own notions about orthodoxy which Davenport was unable to satisfy, and it was only in New England that he at last found a refuge.[2] There was in fact but one spot of land under English rule where the principles and practices proscribed in England were predominant. During the two years which followed Winthrop's emigration to New England, only three hundred and forty persons had followed in his steps. No danger was apprehended at home from so small a number of malcontents, and when charges were brought against them in England they met with but a cool reception from the Council. In January 1633 a complaint against the colonists was dismissed, and the King declared distinctly that 'he would have them severely punished who did abuse his Governor and the Plantation.' Some of the Privy Councillors added 'that his Majesty did not intend to impose the ceremonies of the Church of England' in Massachusetts, 'for that it was considered that it was the freedom from such things that made people come over.'

The Massachusetts colony.

In 1633, however, probably through the increasing strictness of ecclesiastical discipline at home, the emigration increased. In the course of the year seven

[1] Covenant of Hugh Peters, Dec. 10, 1633. *S. P. Dom.* cclii. 12.

[2] Boswell to Coke, Dec. 4, 1633; Jan. 2, 1634. *S. P. Holland.*

CHAP VIII. 1633.

hundred persons crossed the seas, amongst whom was John Cotton of Boston, and other leading Puritan divines. The English Government took alarm lest the example of the successful establishment of extreme Puritanism in America should give encouragement to those who aimed at the realisation of the Puritan ideal on the Eastern side of the Atlantic.[1] A cry came up to Laud from Ipswich that six score emigrants were preparing for a voyage across the ocean, and that six hundred more were soon to follow. The kingdom, said his informant, would be depopulated. Trade would be ruined. Bankrupts would assert that they were flying from the ceremonies when they were in reality flying from their creditors. An Order in Council at once prohibited the sailing of the vessels. A week later, however, a fresh order was issued. Masters of ships would be allowed to carry emigrants upon entering into bonds to punish all persons on board guilty of blasphemy, as well as to compel the attendance of passengers and crew upon the daily service of the Prayer-book.[2]

1634. Emigration to New England stayed.

Feb. 28. But permitted under conditions.

A flying separatist was not likely to be so squeamish as to refuse liberty on the condition of a compulsory attendance for a few weeks upon a service which he abhorred read perfunctorily by a ship's captain. At home extreme nonconformity had received an impulse from Laud's proceedings. In April the High Commission thought it necessary to call upon the Justices of the Peace to make search for those sectaries who, 'under pretence of repetition of sermons,' kept 'private conventicles and exercises of religion by the laws of the realm prohibited.'[3]

April 1. Proceedings against separatists at home.

[1] Palfrey, *Hist. of New England*, i. 364.

[2] Dade to Laud, Feb. 4. *S. P. Dom.* cclx. 17; *Council Register*, Feb. 21, 28.

[3] The Commissioners to the Justices of the Peace, Apr. 1. *S. P. Dom.* cclxv. 6.

CHAP. VIII.

1632.

The Puritan Sabbath.

If Laud was intolerant whenever Church order and discipline were concerned, the Puritans whom he combated were no less intolerant when they believed that the interests of morality were concerned. No greater contrast can be drawn than between the Puritan Sabbath and the traditional Sunday of the Middle Ages. But the Puritan was not content with passing the day in meditation or self-examination unless he could compel others to abandon not merely riotous and disorderly amusements, but even those forms of recreation to which they and their fathers had been accustomed from time immemorial. The precepts of the Fourth Commandment were, according to his interpretation, of perpetual obligation. The Christian Lord's Day was but the Jewish Sabbath, and it was the duty of Christian magistrates to enforce its strict observance. The opponents of Puritanism took a precisely opposite view: The institution of the Christian Sunday, they argued, had been handed down simply by the oldest Church tradition, and it was therefore for the Church to say in what manner it should be observed. Nor could the Church, as a loving mother, forget that the mass of her children were hardly worked during six days of the week, and that it would be cruelty to deprive them of that relaxation which they had hitherto enjoyed.

The Somersetshire wakes.

The question assumed a practical shape through a dispute which had recently arisen in Somersetshire. It had long been a custom in that and in the neighbouring counties to hold feasts under the name of wakes on the day of the saint to whom the parish church was dedicated. In the sixteenth century these wakes were, for the most part, transferred to the preceding or the following Sunday. Such convivial gatherings always afford a temptation to coarse and unrefined natures, and the wakes not unfrequently ended in drunkenness

CHAP. VIII.

1632.

and in the indulgence of the lower passions. In the days of Queen Elizabeth the Judges of Assize and the Justices of the Peace had forbidden them as unlawful meetings for tippling. In 1615 two manslaughters having been committed at one of these festivals, a more stringent order was issued, in which 'the continual profanation of God's Sabbath' was for the first time mentioned. In 1627 the Judges directed that this order should be yearly published by every minister in his parish church, and a return made of obedience to this command. In 1632 these directions were reissued by Chief Justice Richardson.

Interference of the Judges.

March. Richardson's order.

Others besides the Puritans of the county gave their support to Richardson. Lord Poulett, who had thrown all his influence on the side of the Crown in the days of Buckingham, headed a petition against the wakes. Sir Robert Phelips, on the other hand, had been drawing nearer to the Court ever since the disturbance at the end of the last session. He now complained to Laud, and Laud complained to the King.[1]

Laud was specially indignant at the presumption of the Judges in directing the clergy to read their orders in church, which he regarded as an interference with the jurisdiction of the Bishop. The King approved of his objection, and sent a message to Richardson requiring him to revoke the order at the next Lent Assizes. Richardson took no notice of the message. Before the Summer Assizes [2] Charles repeated his directions in person. The Judge did not venture to refuse obedience,

Laud's interference.

1633. Richardson revokes the order disrespectfully.

[1] In a letter from the King to Phelips, dated Aug. 30, 1629 (*Hist. MSS. Reports*, iii. 282), Charles asks him to look to his interest rather than to the favour of the multitude, an expression which would hardly have been used if Phelips had not separated himself from Eliot. All that we know of Phelips during the rest of his life points to the same inference.

[2] Prynne gives the date of this as 1634, which must be a mistake.

CHAP. VIII.

but he took care to shew that he was acting under compulsion.

1633.

Is rated by Laud.

Charles lost patience. Richardson was summoned before a Committee of the Council. Laud rated him soundly for his disobedience. He left the room with tears in his eyes. "I have been almost choked," he said, "with a pair of lawn sleeves." He was forbidden ever to ride the Western Circuit again.

Nov. 5. Report of Bishop Pierce.

Laud had already written to Pierce, the new Bishop of the diocese, to enquire the truth from some ministers in the county. The Bishop's report was doubtless too highly coloured. The seventy-two ministers to whom he directed his questions were probably not selected at random, and they must have known what sort of answer would be acceptable to their ecclesiastical superiors. But it is difficult to set aside their evidence altogether. Friendships, they said, were cemented, and old quarrels made up at these gatherings. The churches were better frequented than on any other Sunday in the year. "I find also," added Pierce, "that the people generally would by no means have these feasts taken away, for when the constables of some parishes came from the Assizes about two years ago, and told their neighbours that the Judges would put down these feasts, they answered that it was very hard if they could not entertain their kindred and friends once a year to praise God for his blessings, and to pray for the King's Majesty, under whose happy government they enjoyed peace and quietness, and they said they would endure the Judge's penalties rather than they would break off their feast days. It is found also true by experience that many suits in law have been taken up at these feasts by mediation of friends, which could not have been so soon ended in Westminster Hall."

The Bishop then pointed out what he considered

CHAP. VIII.

1633. Nov. 5.

to be the real motive for the objection taken. The precise sort, he said, disliked the feasts because they were held upon Sundays, 'which they never call but Sabbath days, upon which they would have no manner of recreation.' Some of the ministers whom he had consulted were of the contrary opinion. They thought that 'if the people should not have their honest and lawful recreations upon Sundays after Evening Prayer, they would go either into tippling-houses, and there upon their ale-benches talk of matters of the Church or State, or else into conventicles.'[1]

Oct. 10. Republication of the *Declaration of Sports.*

Without waiting for Pierce's reply, Charles ordered the republication of his father's *Declaration of Sports.* The late King, he said, had 'prudently considered that, if these times were taken from them, the meaner sort which labour hard all the week should have no recreations at all to refresh their spirits.' Once more it was announced from the throne that as soon as the Sunday afternoon service came to an end the King's 'good people, were not to 'be disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women, archery for men, leaping, vaulting, or any other such harmless recreation, nor from having of May-games, Whit-ales and morice dances, and the setting up of maypoles, and other sports therewith used, so as the same be had in due and convenient time without impediment or neglect of divine service.'[2]

Oct. 18.

As yet the only notion of liberty entertained by either of the Church parties was the removal of restrictions which the opposite party considered it all-important to impose. The Puritan objected to the compulsory observance of the Laudian ceremonies. Laud objected to the compulsory observance of the Puritan Sabbath.

[1] Prynne, *Cant. Doom*, 128. Heylyn, *Cypr. Angl.* 241. *Laud's Works*, iv. 133. The King to Phelips, May 2. Order to Phelips and Richardson, Nov. 12. *Hist. MSS. Reports*, iii. 286.

[2] *Rushworth*, ii. 193.

CHAP. VIII.

1633. The Declaration to be read in churches.

It was necessary that the King's intentions should be as widely known as possible. As in the last reign, the readiest way seemed to be to order the clergy to read the Declaration from the pulpit. Once more the old difficulty occurred. There were many amongst the clergy to whom the Declaration was mere profanity, and some of these had the courage to act upon their opinions. One London clergyman read the Declaration first, and the Ten Commandments afterwards. "Dearly beloved," he then said, "ye have heard the commandments of God and man, obey which you please."[1] Others preserved an obstinate silence.[2] Many were suspended or deprived for their refusal. It is true that Richardson and the Somersetshire Justices had not scrupled to require the clergy to read an announcement of an opposite character. But Laud was nothing loath to follow their example. In his eyes a minister was bound, like a constable or a Justice of the Peace, to communicate the intentions of the Government to the people, whenever he was ordered to do so by the proper ecclesiastical authorities. If the Church gained in organisation in Laud's hands, the gain was compensated by the loss of much of its spiritual influence.

1634. Belief in witchcraft.

If Charles was unwise in peremptorily directing the clergy to read a manifesto which many of them regarded as sinful, his conduct on the main question had been eminently judicious. He was equally judicious in dealing with another case upon which the wisest men were, in that age, likely to pronounce unwisely.

The belief in the reality of witchcraft was strongly rooted in the minds of the population. James I., in his book on Demonology, had only echoed opinions which were accepted freely by the multitude, and were

[1] Garrard to Wentworth, Dec. 6. *Straf. Letters*, i. 166.
[2] *Laud's Works*, iv. 255. Prynne, *Cant. Doom*, 148.

tacitly admitted without enquiry by the first intellects of the day. Bacon and Raleigh alike took the existence of witches for granted. In 1584, indeed, Reginald Scot, wise before his time, had discoursed to ears that would not hear on the shallowness of the evidence by which charges of witchcraft were sustained, but even Reginald Scot did not venture to assert that witchcraft itself was a fiction. A few years later, Harsnet, who rose to be Bishop of Norwich and Archbishop of York, charged certain Jesuits and priests with imposture in pretending to eject devils from possessed persons, in sheer forgetfulness of the fact that these priests did no more than take in sober earnestness the belief which was all around them. That the tide, however, was beginning to turn there is a slight indication in *The Witch of Edmonton*, a play produced on the London stage about 1622, the authors of which directed the compassion of their hearers to an old woman accused of having entered into a league with Satan, in order that she might obtain the power of inflicting diseases upon her neighbours and injury upon their cattle and their crops. Yet even here the old woman was treated as being in actual possession of the powers which she claimed. The sympathy of the audience was demanded for her, not because she was unjustly accused, but because she was driven to seek infernal aid by the brutality and ill-usage of her neighbours, who called her a witch long before she was one, and who beat her and ill-treated her in consequence.

Scot's *Discovery of Witchcraft.* Harsnet's *Popish Impostures.*

The Witch of Edmonton.

Even this amount of sympathy was rarely asked for in London, and could never be looked for in country districts. Lancashire was at that time the poorest county in England, and the least likely to shake off a prevalent superstition. In 1612 a whole bevy of miserable women had been hanged at Lan-

The Lancashire witches.

CHAP. VIII.

1634.

caster upon a charge of witchcraft, and a younger generation was prepared to repeat the accusations which had found credence in the days of their fathers. At the Spring Assizes in 1634 there were numerous condemnations, and Sir William Pelham, a gentleman of fortune and education, gravely expressed a suspicion that the Lancashire witches had had a hand in raising the storm by which the King's safety had been endangered in crossing from Burntisland to Leith in the preceding summer.[1]

June. Their examination by the Bishop.

Fortunately the Judge who presided over the trial had his doubts, and reprieved the prisoners till he had time to communicate with the Council. Bishop Bridgman, the Bishop of Chester, was accordingly directed to examine into the case of the seven condemned women. He reported that three of them were already dead, and that another was sick beyond hope of recovery. Of the three who remained, he described Margaret Johnson, a widow of sixty years, as the penitent witch. "I will not," she said to him, "add sin to sin. I have already done enough, yea too much, and will not increase it. I pray God I may repent." This victim of the hallucinations of an unsound mind confessed herself to be a witch 'more often faulting in the particulars of her actions, as one having a strong imagination of the former, but of too weak a memory to retain or relate the others.' The devil, she affirmed strongly, had often met her as a gentleman dressed in black, offering her power to hurt whom she would in exchange for her soul. At last she consented, and took from him money which vanished immediately. Afterwards he appeared in the shapes of various animals and sucked her blood. She had still, she said, the mark of the wound which he inflicted on her body.

Story of Margaret Johnson.

The other two denied the truth of the accusation

[1] Pelham to Conway, May 16. *S. P. Dom.* cclxviii. 12.

CHAP. VIII.

1634. June.

Of Frances Dicconson.

And of Mary Spencer.

entirely. Frances Dicconson stated that she had been falsely accused of changing herself into a dog by a boy named Robinson, whose father had a quarrel with her husband, and that the second witness had fallen out with herself over a bargain for some butter. Mary Spencer, a young woman of twenty, said that her accuser bore malice against her parents. Her father and mother had been convicted of witchcraft at the last Assizes, and were now dead. She repeated the Creed and the Lord's Prayer, and told the Bishop that she defied the devil and all his works. A story had been told that she used to call her pail to follow her as she ran. The truth was that she would often trundle it down hill, and call to it to come after her if she outstripped it. When she was in court she could have explained everything, 'but the wind was so loud and the throng so great, as she could not hear the evidence against her.'

The last touch completes the tragedy of the situation. History occupies itself perforce mainly with the sorrows of the educated classes, whose own pens have left the record of their wrongs. Into the sufferings of the mass of the people, except when they have been lashed by long-continued injustice into frenzy, it is hard to gain a glimpse. For once the veil is lifted, and we see, as by a lightning flash, the forlorn and unfriended girl to whom the inhuman laws of her country denied the services of an advocate, baffled by the noisy babble around her in her efforts to speak a word on behalf of her innocence. The very Bishop who now examined her was under the influence of the legal superstition that every accused person was the enemy of the King. He had heard, he said, that the father of the boy Robinson had offered for forty shillings to withdraw his charges against Frances Dicconson, 'but such evidence being, as the lawyers speak, against

CHAP. VIII.

1634.

the King,' he 'thought it not meet without further authority to examine.'[1]

July. The truth comes out.

Accused and accusers were summoned to London. Seven surgeons and midwives reported that Margaret Johnson had been deceived in supposing that there was any mark on her body which could be appealed to as evidence that her blood had been sucked.[2] The boy Robinson, separated from his father, blurted out the truth to the King's coachman. He had heard stories told of witches and their doings, and had invented the hideous tale to save himself a whipping for neglecting to bring home the cows to his mother.[3] The three women were admitted to an interview with the King, and were assured that their lives were no longer in danger. Yet even Charles did not think fit to set them at liberty.[4] Still less had the detection of imposture any effect upon popular opinion. Men were no more inclined to disbelieve in the reality of witchcraft because certain persons had been falsely alleged to be witches, than they would now be inclined to disbelieve in the reality of murder because certain persons had been falsely alleged to be murderers. Two playwrights,

The witches on the stage.

Brome and Heywood, saw that it would strike the fancy of the public to bring the Lancashire witches on the stage. Even the step gained in *The Witch of Edmonton* was lost in the play now produced. Its authors gave no hint of any such ill-treatment as might have led the victims of superstition astray. All the lies of the boy Robinson were accepted as undoubted truths. A London audience was called to listen credulously to stories of women transformed into dogs and of pails

[1] Bishop Bridgman to Coke and Windebank, June 15. *S. P. Dom.* cclxix. 85.

[2] Certificate of surgeons and midwives, July 2. *Ibid.* ccclxxi. 9.

[3] Examination of Robinson, July 16. *Ibid.* cclxxi. 91.

[4] In 1636, F. Dicconson and M. Spencer, with eight other persons, were still confined as witches in Lancaster gaol. *Farington Papers*, 27. Chetham Soc.

which trundled along the ground of their own accord. The leading incident of the drama is the bringing home to a gentleman, who had hitherto been sceptical on the subject of witchcraft, of the conviction that his own wife is one of the accursed crew, a conviction so complete that he cheerfully delivers her up to the gibbet, though his married life had been one of happiness and affection.

Immorality of the stage.

It was not to be expected that the dramatic writers of the day should raise themselves far above the ignorance which prevailed universally around. Unhappily they had every temptation to stoop to pander to the low and vulgar tastes of the audiences by whose applause they lived. Even Massinger, whose ideal of an unswerving and self-sustained virtue was nearly as high as that of Milton himself,[1] was guilty of introducing scenes of purposeless obscenity which were utterly unneeded for the delineation of character or the advancement of the plot.[2] In vain he sought to still the remonstrances of his conscience by arguing that the mere representation of evil conveyed a reproof to those who had come to laugh at the coarse jest or to gloat over the indecent action.[3] It may be that the half-felt reluctance injured his popularity. It is certain that Beaumont and Fletcher were, far more than Massinger, the favourites with the play-goers of the day, and Beaumont and Fletcher had never been tired of repeating in ever-varying forms the wearying tale of the siege laid by vice to the defences of female chastity. In their hands the woman who succumbs to temptation is only less repulsive than the woman who resists the seducer. Familiarity with evil is the same in both, and the

[1] Mr. Hales pointed out to me the Miltonic character of the scene between Antiochus and the Courtesan in *Believe as You List*.

[2] An instance of this is in the conversation of the Gentlewoman with Francisco in the *Duke of Milan*, iii. 2.

[3] *The Roman Actor*, i. 3.

CHAP. VIII. 1634.

absence of maidenly purity repels the more when it is associated with self-conscious vanity. The reader turns away sickened from the contemplation of the female rout, to seek, if he is wise, a health-giving draft from the cup of the master who drew the lineaments of Imogen and Cordelia.

1632. *Histriomastix.*

There was much room for the lash of a wise and sympathetic critic. Unluckily the scourge was snatched by Prynne, and Prynne never handled any argument without making it repulsive to those whom he sought to profit. He had long brooded over the iniquities presented in the theatres, and somewhere about 1624 he had shown to Dr. Goad a portion of the book which he afterwards issued to the world under the title of *Histriomastix*; A Scourge of Stage Players. He took special offence at the then prevalent custom of employing boys to represent female characters. As if it were not enough to dwell upon the cruelty of placing young boys in situations which could hardly fail to fill their minds with corrupting thoughts, he fell back upon the argument that under all circumstances it was a deadly sin for any one to appear in the dress of the opposite sex. Goad was not convinced. "If," he said, "a man in his house were besieged by pagans, would he not disguise himself in his maid's apparel to escape?" "I would rather die first," was the reply of the unbending theorist. So absolute a method of treating moral questions deprived Prynne's arguments of all weight with reasonable men.

To such a writer it appeared unnecessary to study minutely the phases of the evil which he unsweepingly condemned. There was no measure in his indignation. Stage plays, from *Antigone* or *King Lear* down to the last tale of incest which had issued from the brain of Ford,[1] were alike treated as the spawn of the

[1] *'Tis a Pity she's a whore* was printed in 1633, and was no doubt acted for some months before.

devil, as hateful provocatives to drunkenness and lust. The fathers of the Church, the philosophers and historians of antiquity, the divines of more recent times, were equally available as evidence. The author's original vituperation was swelled by a mass of extract and quotation till it covered more than a thousand wearisome pages. The reader is tempted to doubt the existence of an evil which is assailed by abuse so unmeasured, and of the details of which the writer appears to know so little. For he had scarcely ever entered a theatre, and there is no evidence that he had even read the plays of his own day with any sort of attention.

Nov. The book printed.

By 1630 the book, much increased in bulk, was ready to be given to the world. Abbot's chaplain glanced over the sheets with a friendly eye and licensed it for the press. The printing was finished in the end of October or the beginning of November 1632.[1]

Heylyn, Laud's chaplain, pounced upon the book as soon as it issued from the press, to examine it with unscrupulous malignity. One paragraph was specially offensive. In 1629 London had been visited by a company of French players which had offended English prejudices by assigning the female parts to actresses. The poor women were hooted from the stage and were forced to return to their own country. Prynne's wrath was moved as deeply by the appearance of women upon the stage as it had been moved before by the appearance of boys upon the stage. If indeed he had drawn attention to the indecency of exposing a young woman to the contami-

Prynne's attack upon female actors.

[1] The dates are from Prynne's letter to Laud of June 11, 1634. *Documents relating to Prynne*, Camd. Soc. He there says that the book was 'finished at the press about ten weeks before her Majesty's Pastoral,' which, as we learn from Salvetti's Newsletter of Jan. $\frac{11}{21}$, was acted on Jan. $\frac{9}{19}$, 1633.

CHAP. VIII. 1632.

nation of the scenes in which she would be expected to take part, he would have had on his side every man who held female modesty and innocence in respect. All this advantage he threw away by the unguarded violence of his attack. He did not ask that the theatre should be purified till its language became such that it could be used with propriety in the presence of young and innocent women. He simply declared that at all times and under all circumstances female actors were notoriously deserving of the most degrading appellation which language can bestow upon a woman.

Was the Queen attacked?

Unluckily for Prynne there was reason to believe that his words had a special application. About ten weeks after his last proof sheets were corrected the Queen took part in a slight dramatic performance, *The Shepherd's Pastoral*, from the pen of Walter Montague,[1] and Prynne afterwards argued that he could not possibly have aimed his shafts by anticipation at the royal actress. It is certain, however, that the intention of the Queen was known in October, about the very time that Prynne was completing his proofs, and that the incriminated passage appears on the last page of the book which was then passing through his hands.[2] Whether this attack were directly aimed at the Queen or not, there was enough in Prynne's pages to rouse indignation. Dancing was declared to be scandalous and of ill repute, and it was well known that the Queen was fond of dancing. To look on at a play was to be a sharer in degrading wickedness, and both Charles and

[1] In the Museum Library is a copy dated 1629, the date which is usually given as that of the first edition. But as the comedy is said on the title-page to have been 'privately acted before the *late* King Charles,' this is doubtless a misprint. As the publisher's name is not the same as that of the 1659 edition, it possibly ought to be 1649. Mr. Arber informs me that it is not entered in the Stationers' lists in 1629.

[2] *Salvetti's Newsletters*, Oct. $\frac{19}{29}$, Nov. $\frac{2}{12}$.

CHAP. VIII.

1632.

Henrietta Maria were lovers of the drama. Prynne too had declared it to be the duty of magistrates to suppress stage-plays, and his warning might be interpreted as charging the King with remissness in the performance of his duty. Nero's murder was spoken of as well deserved on account of his habit of frequenting plays, and an adverse critic might easily draw the inference that the author was of opinion that King Charles merited the same fate. Beyond the words to which exception was taken, there was a ring of Puritanism in the book which may well have given dire offence.

Prynne sent to the Tower.

Prynne was sent to the Tower. The High Commission was to deal with him for words offensive to the clergy. A prosecution for libel was at the same time commenced against him in the Star Chamber.

1633. Nov. The Inns of Court prepare a masque.

Prynne's bitterness of tone and the rashness of his denunciation awoke opposition beyond the precincts of the Court. Scarcely had Charles returned from Scotland when he learned that the Inns of Court were preparing a masque to be presented to him as a token of the detestation in which Prynne's coarse abuse was held by his brother lawyers. The arrangements were entrusted to men who were soon to be arrayed on opposite sides. Young Edward Hyde, with Noy, who was soon to be the inventor of ship-money, and Herbert who, as Attorney General, was to impeach the five members, were joined with Bulstrode Whitelocke, the son of the Judge, and the future Keeper of the Great Seal under the Commonwealth and Protectorate, and with Selden who had been lately released from the prison into which he had been cast as one of the prime movers of the disturbance in the last House of Commons. The display took place at Whitehall on February 2. All the details were arranged with unusual magnificence. Large sums had been expended on the dresses of the

1634. Feb. 2. Its presentation

CHAP VIII. 1634.

actors. The spectators were equally splendid in their attire. So crowded was the Banqueting Hall with gaily attired ladies and with gentlemen of rank and quality, that the King and Queen when they arrived had some difficulty in reaching their seats. After the performance was at an end, some of the masquers were invited to dance with the Queen, and were flattered by her remark, that they were 'as good dancers as ever she saw.' Those who were less highly honoured had no difficulty in finding partners amongst the fairest and noblest ladies of the land. It was almost morning when the festivities were brought to an end with a stately banquet.[1]

Feb. 6. Shirley's *Gamester.*

The Masque itself, *The Triumph of Peace*, from the pen of Shirley, was free from all indecency of expression. Four days later *The Gamester*, by the same writer, was acted in the presence of the King. As far as words went the play was innocent enough. It contained no coarse jests or gross expressions. But for all that the plot was profoundly immoral, and the plot had been suggested by Charles himself. The amusement is conveyed by situations in which criminal or vicious intentions are hindered by accidental circumstances from being carried into action, and is calculated to leave the audience under the impression that foul thoughts and desires defile not a man unless they have been realised in action.[2] It has often been said of Charles, that whatever his political failings may have been, he was at

[1] *Whitelocke*, 19.

[2] See as a further illustration *The Witty Fair One*, by the same author, in which a libertine who is baffled in an attempt to seduce a lady is rewarded by the hand of that lady upon a mere profession to live virtuously hereafter. She is represented as herself perfectly modest and virtuous, but she lets herself make immodest proposals in jest simply because she does not mean to allow them to be accepted, and she seems to have no notion that there is any corruption in the mind of her lover accruing from his former life.

least an artist and a Christian. The art of the play which he now patronised was in flagrant contradiction with the art of Shakspere. Its morality was in no less flagrant contradiction with the morality of the Sermon on the Mount.

Feb. 7. Star Chamber proceedings against Prynne.

The day after *The Gamester* was represented at Court, Prynne appeared before the Star Chamber. His own advocates seem to have had little hope of an acquittal, and contented themselves with maintaining that his intentions had been good, and with giving a milder interpretation to some of his strongest expressions. In the Court itself not a voice was raised in favour of moderation. Even Richardson, who could be so severe on the drunken revels of the poor, had no word to say against the profligacy of the rich. Laud declared that to speak of frequenters of plays as 'devils incarnate' was a direct incitement to rebellion against a King who took pleasure in these entertainments. It was not true that plays were unlawful in themselves. "Take away the scurf and rubbish which they are incident unto, they are things indifferent." As to the indecencies charged against them, 'if there be such things now, it is a scandal and not to be tolerated.' It was the business of the Lord Chamberlain and the Master of the Revels to see to that.

Feb. 17.

Laud in short excused his own remissness on the ground that the licensing of plays was out of his own official province. Such an excuse carried with it its own condemnation. The charge brought was that in the King's Court a fountain of vice had been opened in the midst of the nation. Surely this concerned an Archbishop whose personal influence over his sovereign was greater than that of any prelate had been since the days of Wolsey. What were all the sins against uniformity to this, the hats placed by rude country peasants on the Communion-table, or their slouching

CHAP VIII.

1634. Feb. 17.

into church with their heads uncovered? If Prynne's charge was true, Laud was but busy in cleaning the outside of the cup and the platter. If only a tithe of it were true, at least there would have been room for a man of generous instincts to find some excuse for indignation which had hurried the combatant against vice into rash and unseemly words.

The sentence.

The sentence of the Court was extravagant in its brutality. Prynne was fined 5,000*l.*, expelled from Lincoln's Inn, rendered incapable of returning to the practice of his profession, degraded from his degree in the University, and ordered to be set in the pillory, where both his ears were to be cut off.[1]

Such a sentence was far more unjustifiable than that which had been passed four years before upon Leighton. Prynne had made no attack upon the constitution in Church or State. He had merely spoken in rude and intemperate language of amusements patronised by the King. Nevertheless there was no thought of remitting any part of his outrageous penalty.

May 7. Its execution.

The fine indeed remained unpaid, but on May 7 one of Prynne's ears was shorn away at Westminster. Three days later his other ear was shorn away at Cheapside. Such copies of his book as could be found were burnt under the pillory so close to him that he was almost suffocated by the smoke.[2] The University of Oxford joyfully complied with the sentence, and thrust the author forth from its membership.

June. Prynne's letter to Laud.

Prynne's indomitable spirit was not to be crushed. In a long letter, couched in the most exasperating language, he replied to Laud's arguments, tore to

[1] *Whitelocke*, 22. The report of the trial printed in *Documents relating to Prynne*, Camd. Soc. is far better than that in the *State Trials*, where the date is wrongly given as 1632–3. Laud's speech is in his *Works*, vi. 234.

[2] *State Trials*, iii. 586. Garrard to Wentworth, *Straf. Letters*, i. 260.

shreds his defence of theatres, and charged him with illegality in issuing a warrant for the seizure of his books.

June 10. He destroys it.

Laud placed the letter in Noy's hands. The Attorney General sent for the writer, and asked him whether it was in his handwriting. Prynne took it to the window on pretence of examining it more closely, tore it into small fragments, and flung the pieces out. "That," he said, "will never rise in judgment against me."

June 11. Is brought again before the Star Chamber.

The next day Prynne stood once more before the Star Chamber. Noy demanded that he might be prohibited from the use of pen and ink, and from going to church. This was too much for Laud. He was harsh in his judgments upon offences the root and origin of which he was unable to comprehend, but he was not cruel by nature. Noy's proposal struck upon ground which was common to the prisoner and himself. "I confess," he said, "I do not know what it is to be close prisoner, and to want books, pen, ink, and company." If a man were left alone in such a case, who could tell into what temptations he might fall? Noy had said that Prynne was past all grace. If so, the more need he had of permission to go to church. As to the seizure of his books, it had been done without his knowledge, and he should have them back. Richardson, the 'jeering Judge,' spoke in a different tone. "Let him have the Book of Martyrs, for the Puritans do account him a martyr."[1]

His sentence probably not unpopular.

The Court appears to have inflicted no further penalty upon Prynne. Indeed his punishment was already so severe that it would be difficult to increase it. Yet there is no evidence to show that popular indignation was roused by his sentence. Nothing is heard

[1] Prynne to Laud, June ? *Documents relating to Prynne. Rushworth*, ii. 247. Laud's Diary, *Works*, iii. 221.

CHAP. VIII. 1634.

of any token of disapprobation shewn in the streets as the masquers passed along to Whitehall, or even when, a few weeks later, they threaded their way through the City to repeat their exhibition at Guildhall at the King's command. No doubt there were not a few who regarded Prynne as an oracle. A lady had recently bequeathed a sum of money to Sion College for the purchase of books, accompanying her legacy with a request that Prynne's works might be the first to be added to the library. But the only actual complaint heard was a cry from the privileged classes. "Most men," wrote D'Ewes, "were affrighted to see that neither his academical nor barrister's gown could free him from the infamous loss of his ears."[1] They complained, in short, not that Prynne was unjustly punished, but that his station in life was such that he ought not to be punished in such a way whether he deserved it or not.

Prynne's action upon the drama.

The grosser and more palpable enormities of the stage felt the weight of Prynne's assault. The dramatic writers might express their contempt for him as scornfully as they pleased. It is none the less true that from this time their productions became less openly indecent. For the subtler immorality of the drama, for the hateful teaching that the act alone is sinful, whilst the evil thought is blameless, Prynne's coarse vituperation afforded no remedy. That theme demanded to be dealt with in a higher strain than that which the legal bookworm had at his command. The fitting answer to Prynne's railing was to embody pure thoughts and noble teaching in a dramatic form. No living Englishman was so capable of giving him such a refutation as the singer of the Allegro and the Penseroso. Milton soon found his opportunity. The Earl of Bridgewater, the son of Lord Chancellor Ellesmere, had

[1] *Autobiography*, ii. 105.

attached himself to Buckingham with undeviating devotion. Like others who honoured Charles's favourite, he received his reward from Charles. In 1631 he was appointed President of Wales and the Marches. He did not take up his duties personally till 1634, and the festivities with which his arrival at his official residence at Ludlow Castle was greeted only took place in the autumn of that year. For these festivities Milton prepared his *Comus*, at the instigation of his friend Henry Lawes, at that time the first musician in England.

1634.

Milton's *Comus*.

To the spectators seated in the Castle hall, the fair young girl, Lady Alice Egerton, who with her brothers took the leading part in the performance, was doubtless the central figure in the evening's entertainment. We are no longer under the spell of that bright presence, but the spiritual beauty of the Lady of the Comus abides with us still. As yet Milton had not taken up a position of hostility to the Court, though he had already resolved to abandon his youthful intention of finding himself a place in the ranks of the clergy. He did not hesitate to place his talents at the disposal of so thorough a Royalist as the new Lord President of Wales. He could not give his voice for the sour asperities of the *Histriomastix*. Shakspere and Jonson, with the older glories of the Athenian stage, had a place too deep in his reverence for that. But neither could he content himself with the uproarious jollities of the Inns of Court Masquers. He had to appeal from Shirley and Ford to the great Shaksperian models, and to bring before a courtly audience the lesson that purity of thought and nobility of intention are to be sought first, in order that high and virtuous action may follow. Even beauty itself, Milton held, was but the outward garment of virtue.

CHAP. VIII.

1634.

"So dear to Heaven is saintly chastity
That when a soul is found *sincerely so*,
A thousand liveried angels *lackey her*,
Driving far off each *thing of sin and guilt*,
And in clear dream and *solemn vision*
Tell her of things that *no gross ear can hear*,
Till oft converse with *heavenly habitants*
Begin to cast a beam on the outward shape,
The unpolluted temple of the mind,
And turns it by degrees to the soul's essence
Till all be made immortal. But, when lust,
By unchaste looks, loose gestures, and foul talk,
But most by lewd and lavish acts of sin,
Lets in defilement to the inward parts,
The soul grows clotted by contagion,
Imbodies and imbrutes till she quite lose
The divine property of her first being." [1]

The beautiful soul makes beautiful the outward form; the base act debases the soul of him who commits it. This was Milton's highest message to the world. This was the witness of Puritanism at its best. This was 'the sage and serious doctrine of virginity,' of that singleness of heart and spirit which is the safeguard of purity in marriage or out of marriage.

Women of Milton and Massinger.

Between the ideal of womanhood formed by Milton in his youth and that of even such a man as Massinger there is a great gulf. To Milton the world is a place in which the Lady can break the spells of Comus by the very force of innocence. To Massinger it is a place to be shunned and avoided as altogether evil. His Camiola can only find rest by its renunciation. "Look," says

[1] The germ of this is perhaps in the Duke's words in *Measure for Measure* (iii. 1). "The hand that hath made you fair hath made you good: the goodness that is cheap in beauty makes beauty brief in goodness; but grace, being the soul of your complexion, shall keep the body of it ever fair." Afterwards in pleading for Angelo, Isabella maintains the opposite position (v. 1.):

"For Angelo,
His act did not o'ertake his bad intent;
And must be buried but as an intent
That perish'd by the way: thoughts are no subjects;
Intents but merely thoughts."

the priest when she declares her intention of spending the rest of her days in a nunnery— CHAP. VIII. 1634.

"Look on this Maid of Honour, now
Truly honoured in her vow
She pays to heaven: vain delight
By day, or pleasure of the night
She no more thinks of. This fair hair
(Favours for great kings to wear)
Must now be shorn; her rich array
Changed into a homely gray;
The dainties with which she was fed
And her proud flesh pampered,
Must not be tasted; from the spring
For wine, cold water we will bring,
And with fasting mortify
The feasts of sensuality."

If Milton judged more truly of the great world around him, did not Massinger judge more truly of the world of the Court? To the poets who were then Court poets.

The thought of the first of these two passages finds, as was pointed out to me by Mr. Hales, a still more striking expression in Spenser's *Hymn of Beauty*. Thus, for instance:—

"So every spirit, as it is most pure,
And hath in it the more of heavenly light,
So it the fairer body doth procure
To habit in, and it more fairly dight
With cheerful grace and amiable sight;
For of the soul the body form doth take;
For soul is form, and doth the body make."

It is possible, on the other hand, that Milton was repelled by the lines put into the mouth of the infamous Giovanni by Ford in *'Tis a Pity she's a whore*, published the year before (ii. 5):

"It is a principle which you have taught
When I was yet your scholar, that the frame
And composition of the mind doth follow
The frame and composition of the body.
So, where the body's furniture is beauty,
The mind's must needs be virtue."

The speech of Comus (706) looks very like a *résumé* of opinions which are sown broadcast in the dramas of the day.

CHAP. VIII. 1634.

in favour, the Carews, the Sucklings, and the Herricks, a woman was no more than an enticing bodily form, whose capture might be the amusement of a few hours of leisure. Even with more serious men she was little more than a child of larger growth, capable of tender emotions and inspired with the spirit of sacrifice, but never to be treated as an equal. Wentworth himself whose affections were deep, and who wrote that 'the fellowship of marriage ought to carry with it more of love and equality than any other apprehension,' never thought of imparting his highest joys and sorrows to his wife. He wrote to her when absent of the gossip of the day, of marriages made and planned; but if he is betrayed for a moment into the slightest hint of political news, he draws himself sharply up with 'What's all this to you wenches? What's all this to you?'[1]

Married life of Wentworth.

Female education.

The state of female education was partly in fault. There were no Lady Jane Greys at Charles's Court. Anne of Denmark had led the way in the race of frivolity, and Henrietta Maria had followed in a more elegant way in her predecessor's steps. The Queen herself, like her husband, was looked up to as a model of conjugal devotion. Her confessor was able to express his full assurance that no impure desire had ever crossed her mind.[2] But she had no abhorrence of vice in others. It was enough for her if a man or woman were clever, witty, and amusing; if a courtier could tell a story well or make a good figure in a dance. Without seriousness of purpose herself, she gathered round her a frivolous and flighty crew, to which a serious thought was unknown.

The Queen's Court.

[1] Wentworth's letters to his wife are published by Miss Cooper in her *Life of Wentworth.*

[2] Con to Card. Barberini, Aug. $\frac{15}{25}$, *Add. MSS.* 15,389, fol. 196.

CHAP. VIII.

1634.

Case of Henry Jermyn.

One of those to whose good stories the Queen most loved to listen was Henry Jermyn. Shortly before his confinement on account of the part which he had taken in the challenge sent to Weston by Holland, he had seduced Eleanor Villiers, one of the Queen's maids of honour, and a niece of the late Duke of Buckingham. With the prospect of becoming a mother, the poor girl confessed her shame, and the whole Villiers family angrily called upon the King to force Jermyn to make reparation by marriage to his victim. The King consented, sent both parties to prison, and declared that, as he was certain that a promise of marriage had passed between them, Jermyn should either marry the lady or be banished for ever from the Court. Eleanor Villiers herself, however, distinctly admitted that there had been no promise of marriage. Her love for Jermyn, she said, was so great that she had made no conditions with him. Charles therefore contented himself with excluding his wife's favourite from Court. But Henrietta Maria could not long dispense with the amusement which he gave her. He was soon back again, the life and soul of her festive gatherings at Somerset House.[1] A Court in which Jermyn formed a principal figure could shed no influence for good around it.

Reaction in favour of celibacy.

In such a Court the ideas which Massinger embodied in his *Maid of Honour* grew. There is a close connection between a low state of female attainment and a superstitious reverence for a celibate life. If the best to which a beautiful girl can look is to be flattered with empty nothings about the roses on her cheeks and the whiteness of her bosom, her higher

[1] Examination of Eleanor Villiers, May 6, 1633. *S. P. Dom.* ccxxxviii. 35. Clarendon, *Life*, i. 13. Garrard to Wentworth, Jan. 9, 1634. *Straf. Letters*, i. 174.

CHAP. VIII. 1634.

nature will revolt against a life so empty and so purposeless. She will look upon unmarried life as something holy and virtuous in itself, not as something preferable to the society of a coarse-minded and vulgar husband, or as affording special opportunities of usefulness. Even writers like Habington, who turned aside from the allurements of profligacy, did not succeed in painting married life in very attractive colours. His Castara, as for poetic purposes he termed his wife, was praised rather for her negative than for her positive qualities; for her demure coyness in the presence of men, rather than as a living spring of influence for good upon her family and friends. Habington as he writes seems scarcely able to control his satisfaction that his beloved wife is not an adulteress.

Laud without female admirers.

Such a tone of thought gave many an opening to the Jesuits. The Laudian ceremonies were often tried and found wanting. Laud himself was too hard and unbending, too careful of the framework of ecclesiastical life, to exercise influence over the heart of woman. No leader of any great Church party before or since was ever so entirely without female admirers. The imagination was left untouched, and the devotional feeling was scarcely roused by the cry of obedience to the letter of the rubrics, which was the Beauty of Holiness to Laud.

The women of England Puritan.

As yet the womanhood of England was nurtured in the great Protestant tradition. In the homes of the citizen or the country gentleman the wife was of far greater importance than she was in the household of a great lord or of a minister of state. As a helper of the poor, or as the maintainer of kindliness amongst neighbours, she could share in the work of the master of the house; and in the simple personal religion which she drew from the Bible and from a few text-books of

Protestant theology, she found herself bound to her husband by a tie which secured his respect. There is a mingled strength and sweetness in the characters of the Englishwomen who confront us in the biographical sketches of the day the moment we leave the precincts of the Court. Margaret Winthrop, Isabella Twisden, and in a later generation Anne Murray and Alice Thornton offer but various developments of the same type. It matters little whether in after times they range themselves from family association on the side of King or Parliament; it matters little whether they seek support in their spiritual troubles in the Common Prayer-book or in Puritan books of devotion. The foundation of the character is essentially Protestant, if not Puritan. They seem to have caught the final adjuration of the Spirit of the *Comus*:—

> "Mortals, that would follow me,
> Love Virtue; she alone is free:
> She can teach you how to climb
> Higher than the sphery chime;
> Or if Virtue feeble were,
> Heaven itself would stoop to her."

CHAPTER IX.

THE FIRST WRIT OF SHIP-MONEY.

CHAP. IX. 1633.

WHILST Charles was occupied in establishing his authority at home, events on the Continent had taken a turn which demanded his serious attention. The death of Gustavus had left Germany in greater confusion than ever; and when, on April 13, 1633, the League of Heilbronn was signed by the Swedish Chancellor Oxenstjerna with the four circles of Swabia, Franconia, and the Upper and Lower Rhine, the Elector of Saxony with the Northern circles took no part in the alliance. Such a league was too weak to stand alone, and it would necessarily fall into dependence upon the power by which the help so much needed was given.

April 13. The League of Heilbronn.

That power could hardly fail to be France. Richelieu's ends, as no man had known better than Gustavus, were far from being identical with the objects which a patriotic German would desire. But he offered promptly to contribute a large sum of money for the purposes of the League, and in accepting France as a paymaster, it was necessary to accept its counsels as well. It is true that the Princes who met at Heilbronn would gladly have balanced the influence of France by the influence of England. They assured Anstruther that they were disposed to do all that Charles could reasonably desire about the Palatinate. As Frederick's eldest son Charles Lewis was still a boy, they acknow-

Increase of French influence.

The Administrator of the Palatinate acknowledged.

ledged his uncle the Duke of Simmern as Administrator of the Palatinate, whilst the Swedes engaged in return for a small sum of money to make over to him the strong places which they held in that territory. Charles grumblingly paid the money, gave some cheap advice about the wisdom of conciliating the Electors of Saxony and Brandenburg, and turned a deaf ear to Anstruther's pressing representations that he must do more than this if he hoped to have any weight in Germany.[1]

May. Charles neglects the League.

Charles, in short, was as undecided as ever as to the means by which his object was to be effected. At the time when his Ambassador was negotiating at Heilbronn, he had not yet rejected the proposal of the King of Spain to mediate with the Emperor. Necolalde's comment on his hesitation was as just as it was incisive. "The truth is," he said to Windebank, "you pull down as fast with one hand as you build up with the other, and my treaty with the Emperor, and Sir Robert Anstruther's negotiating with the Protestant Princes, the Swedes, and the French in Germany, are diametrically opposite, and what appearance can there be of success when you fix upon nothing, but hold a course of neutrality, and, seeking to please both, you are sure of neither?"[2]

May 31. Necolalde's comment.

Charles had already hit upon a plan which would, as he hoped, benefit his nephew without compromising himself. As he was on his journey to Scotland, his sister's agent Nethersole applied to him for leave to raise a voluntary contribution for the recovery of the Palatinate. Charles, without much thought of the consequences, consented; and Nethersole, hurrying back to London, persuaded two merchants to advance

May 23. A benevolence proposed.

[1] Anstruther to Coke, Apr. 6, 26, *S. P. Germany*; Coke to Anstruther, May 22, *S. P. Holland.*

[2] Windebank to Portland, May 31. *S. P. Dom.* ccxxxix. 71.

CHAP. IX. 1633.

31,000*l.* on the security of the expected contributions, and in reliance upon an engagement which he offered in the name of the wealthy Lord Craven, Elizabeth's most enthusiastic champion. Before the legal documents which would authorise the levy of the money were completed, the secret oozed out, and Nethersole, finding that all London was talking of the scheme, and that Lord Craven was hanging back, was terrified lest the friends of Spain should throw obstacles in the way of its realisation. One of those to whom his project had been imparted was Goring, and upon Goring he laid the blame of betraying his confidence. Goring, who was perfectly innocent, defended himself warmly, and complained to the Council. The Queen, in whose household Goring was, took his part, whilst Nethersole, instead of speaking plainly, dropped mysterious hints of the injury which would be done to the King if he told all he knew. By this time Charles had been persuaded by Portland that it was unwise to offer in an underhand way the succour which he was not prepared to give openly. He therefore withdrew his permission for the contribution, and compelled Nethersole to make a formal apology to Goring.[1]

Nethersole's quarrel with Goring.

Jan. The negotiation in the Netherlands.

The result of the negotiations which were still proceeding in the Netherlands was of far more immediate importance to England than the result of the negotiations at Heilbronn. Before January was at an end, it had become plain that the necessity of consulting Spain would make either peace or truce hopeless. The terms which had been admitted in 1609 were taken as a basis of negotiation. But the Dutch asked for express permission to trade in all the dominions of the Spanish monarchy. The Spaniards replied by demanding the

[1] Numerous papers relating to this affair are scattered over *S. P. Dom.* ccxxxix–ccxlii.

restitution of Pernambuco, which had recently been taken by the Dutch, and which gave to the revolted Netherlanders a firm footing in America.[1]

March 21. Proposed revolution.

Under these circumstances the Brussels Estates, or those who professed to act in their name, secretly informed the Dutch ministers that they were at last ready to accept the proposal to which they had so long turned a deaf ear. If the Prince of Orange would come to their aid, they would throw off the Spanish yoke. If all the Flemish and Walloon troops were on his side, he would have no difficulty in making himself master of the six thousand Spaniards and Italians who remained. They proceeded to stipulate for their rights as free and allied States, and especially demanded support against the aggressive designs of France. At the same time they applied to the English Government for aid in the maintenance of their independence against the Dutch, if their new allies should attempt to convert the protection offered into an enforced subjection.[2]

Charles could not turn away his eyes from a proposal so completely in accordance with English interests, as well as with the real interests of the populations concerned. Yet it was not in his nature to strike boldly for the prize offered to him. He disliked the Dutch too much frankly to communicate to them the terms proposed; whilst he had not scrupulousness enough to abstain altogether from interference. Gerbier was summoned home to lay the whole state of the case before the King and his ministers. When he returned to Brussels in May he carried with him instructions which showed that Charles wished to set up an independent Belgian State in opposition to the Dutch, rather than to aim at limiting their encroachments whilst acting in

May 10. Charles's offers.

[1] Henrard, *Marie de Medicis dans les Pays Bas*, 344.

[2] Gerbier to the King, $\frac{\text{March } 30}{\text{Apr. } 9}$. *S. P. Flanders.*

CHAP. IX.

1633.

May 10.

general co-operation with them. "Albeit," wrote the King to him, "you are to do nothing in his Majesty's name to withdraw the subjects of the King of Spain from their natural obedience, nor to violate the treaties betwixt the two crowns; yet, in case their king shall give them so little defence that they be forced either to fall into the subjection of their neighbours, or for support of their religion, lives, and liberties, to declare themselves free States; in that case, if they desire his Majesty's assistance and protection, you may assure them in his name that upon such declaration to him by a public minister having power to give fit conditions for safe landing, quarter, and retreat, he will presently send them sufficient forces for their defence, and will protect them in their government, liberties, and religion, and be a means not only to maintain their trade against all men, none excepted, but much increase it."[1]

They end in nothing.

Charles's plan ended in nothing. It would probably have come to nothing in any case. The populations of the Spanish Netherlands were too distrustful of their neighbours both to the North and South to make it easy to effect a revolution which needed the aid of those neighbours, and Charles had neither the strength nor the character to inspire confidence in his protection. The Prince of Orange took the field, and captured Rhinberg, as well as two important posts in Flanders. Not a single Netherlander from the obedient Provinces lifted a finger to aid him.

July. Charles betrayed by Gerbier.

Charles probably believed to the end of his life that his secret negotiation with the revolutionary nobles had remained a secret. It was not so. Of all his envoys he had trusted none like Gerbier. This man had been his special favourite because he had been a favourite

[1] Gerbier's instructions, May 10. *S. P. Flanders.*

with Buckingham. He had been allowed to accept orders directly from the King, and these orders were sometimes in contradiction with those which reached him through a Secretary of State. But Gerbier had no real tie to the English people or to the English king. He was very needy, and he had many children to support. He resolved to betray his employer.

Before the end of July he intimated to the Infanta that he had secrets of the utmost importance to reveal. For these he expected 20,000 crowns. There was some haggling over the price, and it was not till November that two friars appeared by night at the house of the English minister, staggering under the load of coined metal which they carried. Gerbier had stipulated beforehand that he would have nothing to say to paper money of any kind. To one of these friars he told the whole story, implicated Charles in the conspiracy, and named the Flemings and Brabanters who had taken part in it.[1]

Nov. 12.

Nov. 22. Death of the Infanta Isabella.

The Infanta Isabella was overjoyed at the discovery. Much had been suspected before, but nothing had been absolutely proved. Before action could be taken the Infanta died. The King's brother, the Cardinal Infant Ferdinand, was her destined successor. But till he could arrive authority fell into the hands of the Council, mainly composed of Spaniards, of whom the Marquis of Aytona was the leading personage. Aytona acted with firmness and prudence. The chief conspirators were seized. The States General were dissolved. The negotiation with the Dutch was broken off as soon as the Northern States found that they had once more to treat with Spain. The Southern Provinces were bound for eighty years longer as slaves in the train of the Spanish monarchy.

Dec. The Revolutionists seized.

[1] *Henrard*, 439.

CHAP. IX. 1633.

They had made their choice long ago, and they could not break loose now from the entanglements into which they had fallen by the remissness of their resistance to Spain in the sixteenth century. They must bear whatever their neighbours chose to inflict upon them in order to guard themselves against the revival of Spanish domination. Though weakened by a series of adverse campaigns, and by the internal misgovernment from which those adverse campaigns had resulted, the Spanish monarchy was still formidable. If a few years of peace gave it the opportunity of recruiting its strength, its enemies would have to renew the old struggle on more unequal terms. The presence of a Spanish army in the Netherlands was a standing menace to France and to the States General, and it can cause no surprise that both France and the States were resolved to do all that in them lay to relieve themselves from the danger.

It was hardly possible that the question should be regarded in England from quite the same point of view. Even Roe, who advocated a close alliance with the Dutch, was aware of the danger of allowing Dunkirk to fall into French hands. For the present, however, Dunkirk was in no danger. The forces of France were turned in another direction. In August the Duke of Lorraine had given assistance to the Imperialists in his neighbourhood. In September Richelieu entered his duchy and brought his whole territory under subjection. Rather than submit to the indignity the Duke went forth as an exile, carrying his sword to the service of the Emperor. From Lorraine the French army passed into Alsace. One town after another admitted a French garrison, though in the south of the province the Duke of Feria still held his own with a Spanish force.

Sept. The French in Alsace.

The struggle for Alsace was no mere contention for a single province. The valley of the Rhine was the

The struggle for Alsace.

pathway of the Spaniards through Italy to the Netherlands. If the French could hold that valley whilst Southern Germany was still in the hands of the League of Heilbronn, it would be impossible for Spanish reinforcements to reach Brussels except by sea. Everything seemed to bode well for Richelieu's plans. There was dissension between Wallenstein and the Spanish commanders. Wallenstein asked for peace to be gained by the complete abandonment of the Edict of Restitution, and he wished at the same time to acquire large territories for himself. To gain his ends he betrayed the trust with which he had been invested by the Emperor. He treated with his master's enemies, with the Swedes and with the French. He did not inspire confidence enough to obtain a favourable hearing from any one. In November, whilst these negotiations were being carried on, Bernhard of Weimar, who had succeeded to the military position of Gustavus, swooped down upon Ratisbon. The city fell into his hands, and Wallenstein could do nothing to expel him.

Capture of Ratisbon.

With the prospect that the Rhine valley might pass completely into French possession, the maintenance of Dunkirk by Spain acquired increased importance. By that gate men and munitions had flowed into the Spanish Netherlands under Charles's protection. Soon it might be the only gate by which the Spaniards could reach the Netherlands at all.

Importance of Dunkirk.

No wonder France and Spain were anxious to gain the alliance of Charles. Charles still saw in his neighbours' difficulties an excellent opportunity for regaining the Palatinate without fighting for it. Up to the end of October, though evidently intending to give no aid to France, he had been inclined to look to France rather than to Spain for the assistance which he himself wanted. For at that time there seemed little prospect

Charles courted by France and Spain.

CHAP. IX. 1633.

that Spain would again be in a position to dispose of the Palatinate in one way or the other. Charles even listened with a favourable ear to a scheme proposed by the Duke of Simmern for sending the young Charles Lewis at the head of an army to take possession of his own dominions.[1]

Nov. Overtures of Necolalde.

In November came a change. Necolalde talked loudly of Feria's successful resistance in Alsace, and assured Charles that if he would send his nephew to join the Emperor instead of sending him to join the Swedes, he would contribute greatly to the general repose, and would forward his own interests at the same time. Charles appointed the three men who were most in favour of the Spanish alliance, Portland, Cottington, and Windebank, to treat with him in secret.

The Fishing Company.

The three who formed this secret committee had already been in close conference with the Spanish minister. An English Fishing Company had been formed of which Portland and his Roman Catholic friends were the principal shareholders, and so weak was Charles at sea that he had proposed to Necolalde that Spanish ships should be sent to protect the fishery against molestation by the Dutch, who had hitherto, through the supineness of the English, enjoyed a monopoly of that lucrative employment.

Charles offers to send his nephew to join the Spaniards.

The prospect of an alliance with Spain for the recovery of the Palatinate, and for the substitution of an English for a Dutch fishing trade had great allurements for Charles. He signified to Necolalde his readiness to send his nephew to join Feria. His only doubt was whether his nephew would be inclined to go.[2]

[1] Coke to Boswell, Oct. 8. *S. P. Holland.*

[2] Necolalde to Philip IV., $\frac{\text{Oct. 30}}{\text{Nov. 9}}$, $\frac{\text{Oct. 23}}{\text{Nov. 6}}$, Nov. $\frac{1}{11}$, $\frac{6}{16}$. Necolalde to the Cardinal Infant, $\frac{\text{Nov. 22}}{\text{Dec. 2}}$. *Brussels MSS.* Necolalde's Memoir, *Clar. St. P.* i. 77. Brasser to the States General, Nov. $\frac{2}{12}$, $\frac{10}{20}$. *Add. MSS.* 17,677 O fol. 142, 143.

CHAP. IX.

1633.

Charles might well doubt whether his sister would involve herself in these never-ending combinations which took so little account of the forces and aims of the world. Elizabeth was indeed of one mind with him in regarding Richelieu with distrust. The French were approaching the Rhine, and it was known that the Elector of Treves, who had lately installed them in Ehrenbreitstein, was ready to instal them in Udenheim, a fortress to which he had lately given the name of Philippsburg, and which was close to the frontier of the Palatinate. Her secretary wrote by her instructions to Nethersole, urging him in the strongest terms to demand immediate help from England. "If the Palatinate House," he wrote, "for want of assistance, were constrained, as some of their neighbours have been, to put themselves under the protection of France, who could blame them?"

Dec. Elizabeth asks for aid.

When this letter reached Nethersole it was accompanied by a rumour, which afterwards proved unfounded, that Philippsburg was actually in the hands of the French. Hoping that now at least the King would act, he sent to Coke the extract from the secretary's letter, begging him to request a speedy answer, lest his mistress in her anxiety to look to her brother alone for help 'should thereby come to be hereafter blamed by the friends of that House with which she was married, to have been the second time the ruin thereof, there being a great deal of odds between the said House's putting itself, or being taken into the protection of France.'

Jan. 4. Nethersole offends Charles.

Charles was stung by the suggestion that the Palatinate which had once been lost by dependence on his father might now again be lost by dependence on himself. He at once ordered Nethersole into confinement. Nethersole added to his offence by slipping away before

Jan. 5. Nethersole's imprisonment.

CHAP. IX. 1633.

the order was executed, that he might place his papers in safe custody. Failing in his attempt he was captured, and sent to the Tower. There he remained for some time, only to be set at liberty after Elizabeth, at her brother's imperative request, had dismissed him entirely from her service. His public career ended in this moment of impatient zeal.[1]

1634. Jan. 7. The young Elector not to go to the Palatinate.

Coke was now directed to forbid the employment of the young Elector in the Palatinate. It was but a dream, he wrote, 'to imagine that a young Prince with a little army' could 'now determine that cause for which King James of happy memory and his Majesty have striven so many years, have engaged themselves in great wars, have spent millions, and in which the King was still employing his counsels and endeavours by stopping enemies and raising friends, and by preparing all fit means to accommodate so great a work.'[2]

Jan. 21. Consultations with Necolalde.

The means which Charles considered to be fitting were traced out in fresh consultations between the three ministers and Necolalde. On the English side all that was at first offered was to lend twenty or thirty vessels to the King of Spain upon hire, and to contribute

Jan. 30.

good offices for a general peace. In return for this shadowy assistance, Charles expected a declaration from the Emperor that his nephew was not affected by the ban under which his father had been placed, as well as the immediate restitution of the Lower Palatinate, and some arrangement for the ultimate recovery of the Upper Palatinate and the electoral dignity. His view of the relations

Feb. 16. Charles's offers to Spain.

into which he proposed to enter with Spain were more distinctly set down in a despatch to Hopton, the English Resident at Madrid. "In the meantime," wrote Winde-

[1] Nethersole to Coke, Jan. 4. Statement by Nethersole, Jan. 9. *S. P. Dom.* cclviii. 1338.

[2] Coke to Boswell, Jan. 7. *S. P. Holland.*

1634. Feb. 16.

bank of the Spaniards, "their affairs in Flanders growing every day into more desperate estate, and his Majesty considering in his princely wisdom how much it concerns him in his own interest to carry a jealous and watchful eye over the growing greatness of the States, by whose insolencies he is every day much awakened, has been pleased to direct the Lord Treasurer to call the Lord Cottington and myself unto him, and to confer with Necolalde upon some course to be held for giving assistance to the King of Spain, such as may stop the current of the Hollanders' conquests, and peradventure draw them to a peace, yet not plunge his Majesty into a sudden, dangerous, and untimely war with those people. To do this, it is of both sides thought fit that his Majesty should put a strong and powerful fleet to sea, that may open the ports, prohibit all kinds of depredation in those seas, and secure even the coasts of Flanders; and this to be done upon pretence of suppressing and punishing the great liberty which hath of late been taken both by the States and those of Dunkirk, to commit hostilities one upon another, even within his Majesty's safest harbours, both in England and Ireland. But howsoever his Majesty's own reason of State, as I have said, doth chiefly move him to this course, yet is it so carried as the motion grows from Necolalde; unto whom it is represented that his Majesty is now at peace with all the world, that he shall hereby hazard a dangerous war with his neighbours, or at least enter into a great and insupportable charge; and therefore it will be necessary for the King of Spain to furnish money toward it; which doubtless he could no way spend more to his advantage, as the case now stands." [1]

[1] Answer to Necolalde, Jan. 30; Windebank to Hopton, Feb. 16. *Clar. St. P.* i. 79, 74. Necolalde to Philip IV., Jan. $\frac{15}{25}$. *Simancas MSS.* 1520.

CHAP. IX.

1634. Futility of Charles's schemes.

Such an exposition of Charles's intentions needs no comment. There was something to be said in favour of Roe's policy of a strict alliance with the Dutch, and of looking for a guarantee for the special interests of England in the good feeling aroused by a warm co-operation with the States General and in the necessity which they would one day or another be under of seeking English aid against the overweening pretensions of France. Something too was to be said in favour of the policy which was advocated by Wentworth of withdrawing altogether from the political complications of the Continent except so far as interference was demanded by the special interests of England. But the schemes of Charles, so complicated and so unreal, only serve to make the brain dizzy. Everything was to be gained upon which he had set his heart, yet nothing was to be actually done to obtain his objects. It would be enough to seem to do everything in order that he might impose upon friend and enemy alike. If he was unaware that the secret of his offers to the Low Country revolutionists in the preceding year was in the hands of Olivares, at least he might have taken a lesson by the utter failure of those expectations which his diplomacy had raised.

Feb. 15. Assassination of Wallenstein.

If a warning of the inevitable result of a policy which fails to base itself upon the realities of the world was needed, it might have been afforded by the sudden downfall of Wallenstein. It would be an insult to the great strategist to compare the powers of his intellect with those of Charles. But their mode of operation was the same. There had been the same readiness to intrigue with all parties, the same reliance upon forces which would fail in the day of trial. Wallenstein's treason was detected at Vienna. In vain he summoned the army to his support. He perished

at Eger, the victim of an assassination which he had himself provoked.

1634.

The removal of Wallenstein sealed the complete reconciliation of the two branches of the House of Austria. It was a fatal reconciliation for the Emperor. His forces were now at the disposition of the King of Spain, and Germany became but the battle ground on which was to be fought out the old rivalry between Paris and Madrid. The Cardinal Infant had for some months been waiting at Milan till he could lead an army through Germany to Brussels. Wallenstein had refused him permission to pass. That obstacle was now removed. The Imperialist armies were placed under the command of Ferdinand King of Hungary, the Emperor's eldest son, and the husband of that sister of the King of Spain who had once been Charles's affianced bride.

Renewed alliance between the two branches of the House of Austria.

Such a conjuncture of affairs boded no good to the fortunes of the German Protestants. Whilst their enemies were uniting, they themselves were divided. All North Germany stood aloof from South Germany and the Swedes. In the army Bernhard was jealous of Horn, the Swedish general, and both had grievances against the civilian administration of Oxenstjerna. Was it likely that a Spanish victory, if it came, would give the Palatinate to Charles? Hopton, who had every opportunity of gauging the sentiments of the Spanish ministers, reported that they were certain in the end to consult the interests of Bavaria rather than the interests of England, as well as to do their best to thrust Charles further than he was inclined to go in his opposition to the Dutch.[1]

Danger of German Protestants.

March.

In the English Council nothing was known of the exact nature of the overtures which Charles was mak-

Oxenstjerna's son in England.

[1] Hopton to Windebank, $\frac{\text{March 28}}{\text{April 7}}$, *Clar. St. P.* i. 80.

CHAP. IX. 1634.

ing to Spain. But the fact that he was leaning in that direction was well known, and the Queen's party, which as far as numbers went, predominated in the Council, made every effort to draw him from his resolution, and to urge him to promise help to the Heilbronn League. A son of Oxenstjerna had just arrived in England to beg for aid. He was outwardly treated by the King with respect, but an excuse was found in his want of a formal commission from his father for sending him back without the promise which he desired. Anstruther was ordered to attend a meeting of the members of the League which was about to be held at Frankfort. He was to urge them to a general peace, and to tell them that if they failed to obtain it through the Emperor's fault, the King of England would then hear what they had to say about an alliance. Such instructions were naturally as unsatisfactory to Oxenstjerna as they were all that Necolalde could desire.[1]

April 14. Instructions to Anstruther.

March. Reception of Charles's overtures at Madrid.

At Madrid no extraordinary eagerness was manifested to accept Charles's proposals. Olivares thought that when the King of England had succeeded in equipping a fleet with Spanish money, he would make use of it to excite the revolutionists in the Low Countries to try their fortunes once more. Necolalde was therefore enjoined to be very cautious, and to try to find out what Charles really meant before engaging himself to anything.[2]

April. Progress of the negotiation in London.

In London accordingly there was much diplomatic fencing. The English negotiators declared their master to be ready to put to sea a powerful armament to

[1] Necolalde to the Cardinal Infant, March $\frac{7}{17}$, $\frac{\text{March } 28}{\text{Apr. } 7}$, *Brussels MSS.* Draft of instructions to Anstruther, Apr. 3; Instructions to Anstruther, Apr. 14; Anstruther to Coke, June 30. *S. P. Germany.* Necolalde to Philip IV., $\frac{\text{Apr. } 25}{\text{Mar. } 5}$. *Simancas MSS.* 2564.

[2] Consulta of the Council of State, March $\frac{20}{30}$; Philip IV. to Necolalde, $\frac{\text{March } 27}{\text{Apr. } 6}$. *Simancas MSS.* 2520, 2574.

CHAP. IX.

1634. April.

enable him to repress the excesses of the Dutch, and, if need be, to secure the coast of Flanders against them. But they said that they must first know what the King of Spain was willing to contribute.[1] At last, however, though no agreement was actually come to, the two parties arrived sufficiently at an understanding to make Charles desirous to take a forward step in the preparation of an armament.

May. Opposition to Portland.

For this purpose it would be necessary to announce his intentions to the Privy Council. Yet how could he venture to inform that body of the real object which he had in view? A close alliance with Spain against the Dutch would have been as unpopular there as amongst the nation itself. Nor was Portland, the main supporter of the scheme, likely to be regarded with any sort of favour. Even councillors who seldom troubled their heads about foreign politics, and who had taken little interest in the reception of young Oxenstjerna, declaimed fiercely against Portland's greed of money, and his habit of postponing public to private interests. The attack was led by Laud and Coventry. They charged him with selling woods belonging to the Crown far below their value, in order to buy them for his own use in the name of a third person. Portland, who was suffering from the disease which put an end to his life in the next year, was too ill to answer the accusation, and his enemies imputed his absence from Court to a consciousness of guilt. Lennox, whose sister was his daughter-in-law, alone stood up for him. We can fancy how the youth whose gay attire and whose handsome face with the mild dreamy eyes are familiar to us from the canvas of Vandyke, and who was ever faithful in adversity, stood up for one whom he was bound to honour and defend, as he had stood up for the young

[1] Necolalde to Philip IV. Apr. $\frac{18}{28}$. *Simancas MSS.* 2520.

CHAP. IX. 1634. May.

Lord Weston when Holland challenged him, as in after days he was to stand up for his master when he saw him borne down by the weight of unequalled calamity. In his desperate straits he bethought him of a strange mode of gaining the favour of the King. He brought Buckingham's widow to Court for the first time since her husband's murder, to plead for the man whom her husband had raised to office. Charles was evidently touched at the recollections which the sight of her called up in his mind. But he reserved his decision. Laud then showed the King a letter from Wentworth, in which the Lord Deputy complained bitterly that Portland had never answered his letters, though they contained demands of the highest importance for his Majesty's service in Ireland, and in which he declared that under such circumstances he would no longer be responsible for the government of that country. Laud had reason to believe that he had thus produced a great impression on the King's mind. But the impression soon wore off, and the Archbishop had the mortification of discovering that Portland stood still unshaken in the Royal favour.[1]

May 1.

The Council to be hoodwinked.

Laud knew well how hard it was to induce Charles to give up any one in whom he had once placed confidence. He did not know the special tie which at that time united the King to the Lord Treasurer. He did not know that they were fellow-conspirators in a plot to hoodwink the Privy Council, and, through the Privy Council, to hoodwink the nation itself.

Suggestion of Ship-money.

The primary difficulty of discovering a means of equipping a fleet without summoning Parliament to vote a subsidy had already been got over. The suggestion of a means of escaping the difficulty had come from Noy. By the constitutional practice of the Plantagenets,

[1] Zonca's despatches, May $\frac{2}{12}$, $\frac{9}{19}$, $\frac{16}{26}$, $\frac{\text{May } 23}{\text{June } 2}$, June $\frac{6}{16}$. *Ven. MSS.*

CHAP. IX.

1634. May.

the port towns had been called to furnish their ships manned and equipped for the defence of the realm.[1] As late as in 1626 a fleet had been got together in this manner; and though some objections had been raised by interested parties, those objections had never gained such strength as to cause serious embarrassment to the Government. No doubt there was a difference between that which had taken place in 1626 and that which was now proposed. In 1626 England had been at war with Spain, and the provision of ships might therefore be regarded as part of the general obligation to defend the kingdom in time of war. In 1634 the country was in profound peace, and Charles was therefore under the necessity of shewing that in spite of appearances the position of affairs was in some sort equivalent to actual war.

June 6. Submitted to Coventry and Manchester.

By June 6 he had obtained an opinion from Coventry and Manchester that he was legally authorised to carry Noy's scheme into execution.[2] He determined to announce his resolution to the Council on the 8th. The whole truth it was impossible to tell. Except the three ministers who had been treating with Necolalde, there was probably not a single member of the Council who would not have felt outraged by hearing that the proposed fleet was to take the part of Spain against the Dutch. The King's naval preparations must be made to look as if they were simply intended as a defensive measure against all assailants alike.

June 8. Coke's statement.

No better instrument for this work of concealment could be found than Secretary Coke. His known hostility to Spain would give weight to words which, in his ignorance of the real facts, he would speak honestly and from his heart. Coke was accordingly directed to

[1] Extracts from the public records. *S. P. Dom.* cclxxvi. 65.

[2] Windebank to Portland, June 6. *Clar. St. P.* i. 94.

CHAP. IX.

1634. June 8.

read before the Council a long exposition of the dangers of the kingdom. Englishmen, he said, had to submit to wrongs in every part of the world. Turkey, Tunis, Savoy, and Spain were as guilty as their nearer neighbours in France and the Netherlands. English trade did not meet with fair-play anywhere. "There is no hope of obtaining justice," he said to the King, "but by doing it yourself, which requireth the puissant reinforcing of your guards to recover your undoubted right of sovereignty in all your seas."[1]

Necessity of a fleet.

There was much in Coke's complaint which called for the most serious consideration. With commerce spreading out on every side, in the face of the predominant maritime force of the Dutch Republic and of the growing maritime force which Richelieu was creating in France, the time was come when England must possess a navy worthy of the name, or must forfeit her place amongst the nations and her power to protect her traders on the seas. The claim, however, which Charles put forward was more than a claim that he might be able to do justice to his subjects. The assertion of the sovereignty of the seas meant nothing less than an assertion that the whole of the English Channel to the shores of France, and the whole of the North Sea to the shores of Flanders and Holland, was as completely under the dominion of the King of England as Kent or Yorkshire. To fish in those waters, or even to navigate them without his permission, was an encroachment on his rights.

Monstrous as the claim was, it appealed too strongly to the English contempt of foreigners to be without an echo in English hearts. In the Council at least, it found an unanimous support.

The argument by which Charles's claim to the sove-

[1] Coke's declaration, June 8. *S. P. Dom.* cclxix. 51.

CHAP. IX.

1634.

reignty of the seas was supported, like the argument by which his claim to use his subjects' ships was supported, was historical and legal. Some six or eight months before,[1] Sir John Borough, the Keeper of the Records in the Tower, had drawn up an elaborate argument, shewing how in the days when England was strong her sovereigns had put forth extravagant claims, and how those extravagant claims had sometimes been acquiesced in by foreign nations, and ending by a triumphant vindication of that authority as an inherent right of the Crown.[2] It was Charles's misfortune never to know that obsolete precedents would go but a little way to bolster up an authority which was repelled by the feelings of the existing generation. Charles flung a defiance in the face of all other nations, when, unless urgent necessity arose, he should have contented himself with the defence of his own realms from unwarranted attacks.

June. Sir John Borough's *Sovereignty of the Sea.*

The first result of Coke's statement to the Council was the appointment of a Committee to consult with Noy on the mode of carrying his suggestion into execution. Noy did not live to see his counsels followed. Though his own proposal departed very little from the ancient custom of the realm, his 'new writs of an old edition,' as Roe called them, have handed down his name to a notoriety which more distinguished men have failed to reach. A dry technical lawyer, of strong anti-Puritan tendencies, he had no grasp of constitutional principle to enable him to understand the mischief which he was doing.

A Committee of consideration.

Aug. 10. Noy's death.

[1] A MS. copy of Sir J. Borough's book (*Harl. MSS.* 4314) has the date of 1633, and there is internal evidence to the same effect. This means before March 25, 1634. It would hardly be begun before the King's return from Scotland in August, and probably not till December or January.

[2] The claim is to be found in an order of the Admiralty Commissioners as early as Jan. 21, 1634. *S. P. Dom.* cclix. 17.

CHAP. IX.

1634.

Sept. 3. Death of Sir E. Coke.

The death of Noy was quickly followed by the death of the far greater lawyer who, violent and intemperate as he was, had striven hard in the later years of his life to erect a barrier against absolute government by the help of those very technicalities of the law which Noy was twisting in the opposite direction. Sir Edward Coke had taken no part in the session of 1629, and had lived in retirement at Stoke Pogeys ever since he had raised his voice against Buckingham in the last days of the preceding session. In the solitude of his country house he was still a cause of anxiety to the Government, and upon a rumour of his ill-health in 1631 Charles issued orders that in the event of his death all his papers should be seized, lest some of them which might be directed against the existing system might come into circulation with the authority of his name.[1] The old man, however, lingered more than

July. three years longer, and it was not till July 1634 that Windebank received orders to rifle the house of the dying man.[2] No immediate attempt, however, seems to have been made to carry out these directions. In

Aug. August his study in the Temple was sealed up, but it was not till Coke was known to be actually dying or dead that the order of July was put into execution at

Sept. The papers seized. Stoke Pogeys. One of the sons of the old lawyer, a man too mendacious or inaccurate to give any weight of authority to the story which he told, declared long afterwards that Windebank himself ransacked the very house in which the aged lawyer was lying on his death-bed.[3] But though this statement is probably untrue, it

[1] Mr. Bruce is mistaken in saying in the Preface to the Calendar of 1634–5, xvii, that Charles ordered the papers to be destroyed. The word is 'suppressed.' Holland to Dorchester, Jan. 24, 1631. *S. P. Dom.* clxxxiii. 18.

[2] The King to Windebank, July 26. *S. P. Dom.* cclxxii. 62.

[3] Coke's *Detection*, 253. He also says that Coke's will was carried

CHAP. IX.

1634. Sept.

is certain that within a week after his death a trunk full of papers was brought to Whitehall and opened in Charles's presence. Three months afterwards a fresh seizure was made at the Temple, and though strict orders were given to restore all documents relating to Coke's private affairs, and his family doubtless recovered with them the jewellery, the old coins, and the 'paper of precepts to his children,'[1] which were in the trunk which Charles opened, there was much which they afterwards claimed as having been wrongfully kept back. Even of those papers which were undeniably of a public nature, there were many the detention of which could only be accounted for by a desire to suppress the publication of legal opinions unpalatable to the Government. Coke, it was true, had been a Commissioner of the Treasury, and papers relating to the working of the Treasury were as legitimately an object of solicitude to the King as the papers which he was rightfully accustomed to seize upon the death of a Secretary of State. But the documents on which Charles laid his hand were legal as well as financial, and he was much more interested in stopping the circulation of Coke's views on law than he was in the perusal of a stray series of accounts.

Charles's Judges.

In one respect the Judges of Charles's reign trod in the footsteps of Coke. As far as the administration of justice between man and man was concerned they stand in no need of defence. There were no takers of bribes amongst them. They were never charged with

off. There is no mention of it in the list of papers preserved. As the trunk was broken open before the King on Sept. 9, the probability is that it was seized after, not before, Coke's death on the 3rd.

[1] List of papers in the trunk. *Lambeth MSS.* 943, fol. 369. The original is as given above. I am sorry to have to dispel Mr. Bruce's little romance. He read it a 'paper of *poetry*.' The list of the papers seized in December is *S. P. Dom.* cclxxviii. 35.

CHAP. IX. 1634.

incapacity or negligence. But they never ventured to regard themselves as arbiters between the Crown and the nation. They accepted in the fullest sense the position of defenders of the prerogative. It was their delight to ratify the legal technicalities which men like Noy drew from the treasures of the past, and they were well pleased that the Government should go its own way if only it flattered them by referring the legality of its action to the metewand of their learning.

Sept. 14. Dismissal of Chief Justice Heath.

Of all the Judges, there was only one who had shown any political qualities. Sir Robert Heath, Chief Justice of the Common Pleas, joined to a zeal for the maintenance of the prerogative a devotion to the person of the King which in a later age would justly be denominated servile. But he had a love of compromise and moderation which seems to have given offence in high quarters. Above all, he had shown in various ways that his sympathies were not with the ecclesiastical government of Laud.

Suddenly, without a note of warning, Heath was dismissed from the Bench. No reason was assigned for the unexpected blow, and the special grant of professional precedence which was accorded to him excludes the supposition that he had committed any actual offence.[1] It may be that, as some thought, his ecclesiastical tendencies were obnoxious to the Archbishop. But it is more probable, though not a word of evidence exists, that Charles had reason to think that he was not sound on the question of Ship-money. However that may have been, it was impossible for the King to take a more direct way of establishing in the

[1] In a short autobiographical memoir, apparently written without any view to publication, which has been printed by the Philobiblon Society (*Bibliographical and Historical Miscellanies*, vol. i.), Heath says, "I was on a sudden discharged of that place of Chief Justice, no cause being then nor at any time since shewed for my removal."

CHAP. IX.

1634. Sept. 15.

eyes of all men the utter worthlessness of that appeal to the Judges which he was always ready to make, and which was no doubt equivalent, in his eyes, to an appeal to the law itself.

Oct. 16. Succeeded by Finch.

Heath's successor, Sir John Finch, was a man not likely to be troubled with scruples. The Speaker who had once been held down in the Chair by violence had come to look upon popular influence or control with a bitter detestation. His own character was such as to give offence in any situation. He was arrogant and careless of the rights of others, insolent in prosperity and without dignity in misfortune.

June. Malpractices in the Forest of Dean.

In such a man Charles would possess a useful tool. Finch had lately drawn attention to his serviceableness by the part which he had taken in an affair in which, even more than in that of Ship-money, the prevailing disposition of the Government to cultivate external legality at the expense of justice was conspicuous. It is probable that the charges which had been brought in May against Portland of malpractices in the sale of woods had instigated his opponents at Court to investigate the proceedings of his clients in the Forest of Dean. His secretary Gibbons had there taken possession of a large tract of land, as was alleged, under false pretences; and Sir Basil Brooke, one of the Lord Treasurer's Roman Catholic friends, was charged with cutting down trees set apart for the Navy, for use in his own iron-works. This abuse, it was further said, had been authorised by Portland without the King's knowledge.[1]

July 12. Holland's Justice-seat in the Forest.

Such a tale was indeed welcome to Portland's enemies. As it happened, his chief opponent, the Earl of Holland, was Chief Justice in Eyre, and was thus officially empowered to investigate all malpractices in the administration of the forests. In setting out to hold

[1] Jones's Reports, 347. Zonca's despatch, Aug. $\frac{15}{25}$. *Ven. MSS.*

CHAP. IX.

1634. July 12.

a Justice-seat, as his judicial visitation was termed, at Gloucester, for the Forest of Dean, he was eager, as contemporaries believed, to find a new blot on the tables of his adversary.[1] But he may have had another object in view, and have been anxious to shew to Charles that the Lord Treasurer's rivals were as zealous to uphold the prerogative as the Lord Treasurer himself; though, it may be added, he would thus leave no doubt in the minds of others that it would be as unsafe to leave the rightful claims of the subject in his hands as in the hands of Portland. It is not unlikely that the idea which he intended to realise originated in the mind of Noy. But Noy was already too ill to take an active part in the business, and Finch was deputed to act as his substitute in enforcing the claim which had been conceived by another.

Claim to an extension of the forest boundaries.

This claim was nothing short of monstrous. For more than three hundred years the boundaries of the forests in the whole of England had been fixed in accordance with the perambulation made after the great Confirmation of the Charters by which Edward I. had consented after a hard struggle to limit his powers for the benefit of the nation. Finch now asked, on behalf of the Crown, that this perambulation should be declared invalid,[2] and in this contention he was supported by the three Judges who had come down to act as legal assessors to Holland. The Grand Jury[3] reasonably urged that it was hard to disturb a settlement of three centuries. But the legal question was not one which

[1] This is distinctly stated by Zonca.

[2] On the ground that this perambulation had disforested land newly attached to the forest in the reign of Henry II. which it was beyond its power to touch.

[3] The Grand Jury must not be confounded with the Verderers, etc., who attended the Court. It was no doubt composed of the neighbouring gentry.

CHAP. IX

1634.

came within their sphere, and it was impossible to deny that the dry facts of the case were as they had been represented to them. A verdict was therefore of necessity given for the Crown. No fewer than seventeen towns had sprung up on the land claimed for the forest, and the sudden transference from the common law to the forest law was no slight misfortune. Special restrictions would be placed upon every action which might be in any way prejudicial to the preservation of deer,—the very existence of which upon the lands of these unlucky townsmen and farmers was purely imaginary,—and these restrictions would be vindicated against them not in the ordinary Courts, but before a special Forest Court gathered under the influence of persons occupying situations in the forest and interested by every possible motive in maintaining the King's rights however obsolete they might be. Unless Charles could be induced to mitigate in practice the cruelty of this sentence, a gross injustice would be committed.

July 14. Fines on Gibbons and Brooke.

Portland's dependents met with as little favour as the men of Gloucestershire. Sir Basil Brooke and his partner Mynn were fined 12,000*l.* on the ground that their authorisation proceeded from the Treasurer, not from the King. No less a fine than 35,000*l.* is said to have been imposed upon Gibbons,[1] in whose grant a technical informality was discovered, and orders were also given for the prosecution of the latter in the Star Chamber.[2] The fines on Brooke and Mynn were raised by subsequent enquiry to no less than 98,000*l.* Fines of such magnitude were not intended to be levied. Two years afterwards Brooke and Mynn were pardoned on payment of 12,000*l.* and the surrender of the

1637. Attempt to implicate Portland.

[1] The latter sum rests on Zonca's statement that the fines on the two together reached 47,000*l.* Zonca's despatch, Aug. $\frac{15}{25}$. *Ven. MSS.*

[2] Pardon to Brooke and Mynn, July 22, 1636. Pat. 13 Charles I. Part 4. See *Jones's Reports*, 347.

CHAP. IX. 1634. Sept.

iron-works.[1] For the present the main question of interest at Court was whether the Treasurer could be implicated in his secretary's delinquencies. Portland defended himself stoutly. He dismissed Gibbons from his service, and professed entire ignorance of all that had passed. The King accepted his explanations, but there were not wanting those who expressed their pity for the servant who had been sacrificed, as they said, to save the credit of his master.[2]

Oct. 1.

If Charles was resolved to listen to nothing against Portland, he was highly satisfied with Holland's work in the Forest of Dean. All other forests were to be dealt with in the same way. Waltham Forest, of which the Epping Forest of the present day forms a part, was the next to be visited. On October 1 Holland came down to hold his Justice-seat in Essex. The next day Finch produced an old record of Edward I. upon which he based a claim to an enormous extension of the forest, saying that 'he would know how his master had lost every inch of it.' He 'would not stir from thence till he had a verdict for the King.' The Earl of Warwick, Holland's brother, who was a large proprietor in the county, rose to demand time to answer him. He doubted not, he said, that he could give such satisfaction to the Court as to enable the land-owners of Essex to continue in the enjoyment of the possessions of their ancestors 'which had been out of the forest for three hundred and thirty years.' Finch replied that he would only give him time till the next morning.

Justice-seat in Waltham Forest.

Oct 2. Enormous claims of Finch.

Oct. 3. Finch threatens the jury.

The next morning Finch again produced his records, fell into a rage with the jury, and swore that he would have a verdict for the King ere he stirred a foot. Some of the jurymen asked to be allowed to see the records. Finch told them they should not see a word.

[1] Breviates of the Exchequer, 1636-7.

[2] Correr's despatch, $\frac{\text{Oct. 24}}{\text{Nov. 3}}$, $\frac{\text{Oct. 31}}{\text{Nov. 10}}$. *Ven. MSS.*

They must be satisfied with what he had read to them already. Under this pressure a verdict was returned according to the utmost demand made on the part of the Crown. But Holland, influenced perhaps by his brother's presence, refused to accept the verdict as conclusive. He adjourned the Court for some months, and promised to do the aggrieved persons 'all the right he might.'[1]

Oct. 3. And obtains a verdict.

To raise such a man as Finch to the Bench was to provide that the King's wishes should in every case be carried out under the veil of legal forms. Against the subject some arrow out of the quiver of obsolete precedents was always to be found; some reason was always at hand to prove that precedents were inapplicable when they made against the King. Charles's encroachments upon the rights and liberties of his subjects were made in the most insidious form possible, for they were made under the cloak of the law and under the sanction of those who should have been its guardians.

Legal character of Charles's absolutism.

It is only fair to acknowledge that men whose character stands higher than that of Finch gave their support to this evil system. Sir John Bankes, who followed Noy as Attorney General, was an honest and respectable lawyer; and Littleton, who replaced the inefficient Shilton as Solicitor General, had been one of the supporters of the Petition of Right, and was a man equally respected for his legal knowledge and for the uprightness of his character. The truth seems to be that the lawyers were most inclined of all classes of Englishmen to recognise the advantage of the observation of legal forms, and the least ready to notice the hardships inflicted under cover of those forms. There was something flattering to their pride in being outwardly regarded as the main pillars of the throne, and

Legal promotions.

[1] Statement by Warwick, Oct. 5. *S. P. Dom.* cclxxv. 21. Printed in full in Mr. Bruce's Introduction to the Calendar of 1634–35.

CHAP. IX. 1634.

they did not care to ask themselves whether the reality corresponded with the appearance. At a later period the lawyers were thrown into opposition by jealousy of the increasing power of the clergy.

July. The Committee on Ship-money.

Like the forest claims the proposed demand of Ship-money was either technically according to law, or could easily be argued to be so. Coventry and Manchester, who were busily employed in giving to the new impost a shape which would raise as little objection as possible, were, however, left in complete ignorance of the consultations which Portland, Cottington, and Windebank were carrying on with Necolalde behind their backs. Charles, indeed, was more out of humour with the Dutch than ever. He had discovered that a secret treaty had been signed in April between the King of France and the States General, by which Lewis engaged himself to make a large annual payment to the Republic towards the expenses of the war. At last Necolalde sent him a bundle of intercepted despatches from the Prince of Orange to his agents in France, urging them to obtain the consent of the Cardinal to a joint attack upon Dunkirk. A letter from the Dutch statesman Aerssens, in the same packet, pressed Richelieu to undertake the siege. "The capture of Dunkirk," he wrote, "will extend the French frontier at the only point where England and Spain can join hands. If that port be once closed, France will have nothing more to apprehend from their alliance. The sea will then be divided between you and us."[1]

The negotiation with Necolalde.

July 11. The intercepted despatches.

Aug. Charles rejects the

Charles could not fail to feel the application of the well-directed lash. If he had openly declared that he

[1] Windebank to Hopton, July 11. *Clar. St. P.* i. 103. The letters are in *S. P. Holland*, and also in Aitzema, *Saken van Staet en Oorlogh*, ii. There seems to be no doubt that they are genuine. Necolalde in his despatch of July $\frac{16}{26}$, speaks of them as such. *Simancas MSS.* 2520.

CHAP. IX.

1634.

meant to join Spain against France and the Dutch Netherlands, his policy, whether commendable or not, would at least have been frank and intelligible. It is no matter of surprise that he felt little inclined to listen to the fresh overtures which were made to him by the new French ambassador, the Marquis of Pougny, who had come to invite him to take part in the league against Spain.[1] He told the Dutch ambassador, Joachimi, that he was at peace with Spain, and that he would not attack a friendly nation without a good reason. He did not wish to see any of the combatants in the existing war overpowered, and it must be acknowledged that the fortunes of the House of Austria were at a very low ebb just then. He intended to be the master of the English sea and to keep the trade open to the Flemish ports.[2]

overtures of France.

Such words, however, conveyed but a small part of the projects which were floating in Charles's brain. Articles of a treaty between England and Spain were drawn up in concert with Necolalde, and were discussed and altered till they were finally despatched on October 16 for the approval of the Spanish Government.

The secret treaty with Spain.

The articles thus prepared were kept from the knowledge of all the Privy Councillors, excepting the three trusted ministers. In these articles the plan of keeping open the Flemish ports and overthrowing the mastery of the Dutch at sea was made to lead up to a scheme still more portentous. The partition treaty signed by Cottington and Olivares in 1631 was once more to be brought forward and made the subject of negotiation. The negotiations set on foot were to receive their completion in the league signed by Cottington at Madrid, the object of which was to attack

Oct. 16. The Partition Treaty to be taken up.

[1] Instructions to Pougny, July. *Arch. des Aff. Etr.* xlv. 316.

[2] Joachimi to the States General, Aug $\frac{20}{31}$. *Add. MSS.* 17,677 O, fol. 217.

CHAP. IX. 1634.

and overwhelm the Dutch Republic, and to divide with the King of Spain the soil which had been bedewed with the blood of the victims of Alkmaar and Harlem, and which had been guarded by the strong arms which had broken the dykes of Leyden and the cunning brains which had reduced Hertogenbosch and Maestricht to surrender. With this purpose in view the King of England was to put a fleet of twenty vessels to sea; five of which were to be at the charge of the King of Spain.

Pretexts to be discovered for concealing it.

As usual with Charles, much space was devoted to the elaboration of pretexts which might keep all men, including the King's own Council, in the dark concerning his real intentions. "The pretext of this arming," it was distinctly said, "shall be to secure the coasts of Great Britain and Ireland, and to free them from pirates and others that commit hostilities and insolencies there." As soon as the fleet was at sea, Charles's minister at the Hague was to demand from the Dutch the restitution of some Spanish prizes which they had taken in English waters. In the meanwhile the English fishing-boats were to be protected, as well as the trade between England and Dunkirk. Any attempt of the Dutch to enforce the blockade of Dunkirk was to be resisted by the combined fleets of England and Spain. If the English men-of-war found an engagement in progress between a Dutch and a Spanish ship in his Majesty's seas, they were to take care that the Spaniards should 'receive no wrong.' The promise to convoy Spanish vessels with soldiers and money for Dunkirk was more conditional, as the King of England's consent was to be specially obtained on each occasion. If, however, a direct attempt were made to besiege Dunkirk, the English fleet was to come to the help of the town. The last article related to an advance of 50,000*l.* by the King of Spain,

to be deducted hereafter from the monthly contribution which Philip was bound to make under Cottington's partition treaty,[1] as soon as the attack upon the Dutch was finally resolved on. If, however, the English fleet for any reason did not put to sea, for the purposes agreed on, Charles would have to repay the money.

Payments to be made by the King of Spain.

Such was the treaty which was sent to Madrid for the approval of the Spanish Government. Much to Charles's surprise, Necolalde had shown no inclination to forward an arrangement which seemed so favourable to his master, and had occupied many weeks in cavilling at various expressions which might have been brought into a satisfactory form in a few hours. The truth was that neither Necolalde nor Olivares had the slightest confidence in anything that Charles could say. The Spanish minister wrote home that nothing would come of it all, as Charles had but little courage and little money,[2] and Olivares cordially agreed with Necolalde.

Oct. 16. It is sent to Spain for approval.

The Spaniards distrust Charles.

Four days after the despatch of the courier to Madrid, the Ship-money writs were issued. Unlike those which followed in the succeeding year, these first writs were directed only to the authorities of the port towns, and of places along the coast. The ostensible reason for demanding the money was set forth in the writ itself. "We are given to understand," said the King to his too-credulous subjects, "that certain thieves, pirates, and robbers of the sea, as well

Oct. 20. The Ship-money writs issued.

[1] By the sixth article of that treaty Philip would have to furnish 25,000*l.* a month, and it is to this that reference is made. In the first draft the future league to be negotiated is described as a defensive one. In the second draft the partition treaty is directly referred to. I suspect that Charles did not fully realise to himself how far these articles were a step to the carrying out of the partition treaty. There were still to be negotiations, and he might draw back in the end. *Clar. St. P.* i. 109, 112, 126.

[2] Note of Necolalde's despatch, $\frac{\text{July 31}}{\text{Aug. 10}}$. *Simancas MSS.* 2520.

CHAP. IX. 1634. Oct. 20.

Turks, enemies of the Christian name, as others, being gathered together, wickedly taking by force and spoiling the ships and goods and merchandises, not only of our subjects, but also of the subjects of our friends in the sea which hath been accustomed anciently to be defended by the English nation, and the same at their pleasure hath carried away, delivering the men in the same into miserable captivity; and forasmuch as we see them daily preparing all manner of shipping further to molest our merchants and to grieve the kingdom, unless remedy be not sooner applied, and their endeavours be not more manly met withal; also the dangers considered which in these times of war do hang over our heads, that it behoveth us and our subjects to hasten the defence of the sea and kingdom with all expedition or speed that we can; we, willing by the help of God chiefly to provide for the defence of the kingdom, safeguard of the sea, security of our subjects, safe conduct of ships and merchandises to our kingdom of England coming, and from the same kingdom to foreign parts passing; forasmuch as we and our progenitors, Kings of England, have been always heretofore masters of the aforesaid sea, and it would be very irksome unto us if that princely honour in our time should be lost or in anything diminished; and although that charge of defence which concerneth all men ought to be supported by all, as by the laws and customs of the kingdom of England hath been accustomed to be done;[1] notwithstanding, we considering that you constituted in the sea coasts—to whom by sea as well great dangers are imminent, and who by the same do get more plentiful gains for the defence of the sea and conservation of our princely honour in that behalf, according to the duty of your allegiance—against

[1] Here is the principle on which Charles acted in the following year.

such attempts are chiefly bound to set to your helping hand, we command firmly" that you cause certain ships of war to be brought to the port of Portsmouth on the 1st of March, "and so that they may be there the same day at the farthest, to go from thence with our ships and the ships of other faithful subjects for the safeguard of the sea and defence of you and yours, and repulse and vanquishing of whomsoever busying themselves to molest or trouble upon the sea our merchants and other subjects, and faithful people coming into our dominions for cause of merchandise or from thence returning to their own countries."

The sum needed for fitting out the ships and for maintaining them and their crews for six months was to be assessed upon the inhabitants by the local authorities.[1]

Between this writ and the articles sent to Spain there is a marvellous contrast. In the writ every word speaks of commerce and peace and legitimate self-defence. The articles breathe a spirit of defiance and aggression. No doubt a Government is not even in these days expected to conduct its diplomacy in public. It is perfectly justified in veiling the means by which it hopes to accomplish its objects from the eyes of those who are interested in thwarting its policy. But it is bound under the severest penalties openly to acknowledge the general tendency of its action, and above all, openly to acknowledge it to its own people, without the support of whom its utmost vigour will be but as the steel point of a lance of which the shaft has been broken away. Confidence inspired by the ability and rectitude of a Government is in the long run a reserve of power stronger than a well-disciplined army, stronger than a well-filled treasury. If there were many in England who still felt confidence in Charles, it was

[1] Writ, Oct. 20. *Rushw.* ii. 257.

CHAP. IX.

1634. Oct.

merely because as yet they had no inkling of the truth. But the language of the Ship-money writ, which led its very authors astray, only served to render the Spanish statesmen still more suspicious. Necolalde began to suspect that Charles's intentions were after all better represented by the writ than by the articles. He thought that the King's real object was to act against both the Spaniards and the Dutch, and to bring the commerce of the world into the hands of his own subjects.[1]

Charles does not forget the Palatinate.

Charles's schemes would have been far too complicated for practical service even if he had confined his attention to the war in the Low Countries. All that he did, however, was done with a reference, tacit or expressed, to the recovery of the Palatinate, and when the secret articles were sent to Madrid, he knew that whether the King of Spain were willing to forward his wishes or not, his power to do so was greater than it had been at any time since the death of Wallenstein.

June. The Cardinal Infant in Germany.

Freed from all risk of opposition from the commander of the Emperor's forces, the Cardinal Infant had crossed the Alps, and had joined his forces to those of the King of Hungary. The united armies fell upon Ratisbon, Bernhard's prize in the preceding autumn.

July 18. Aug. 27. Battle of Nördlingen.

On July 18 the city surrendered. On August 27 a great battle was fought at Nördlingen. The Swedes and their allies of the Heilbronn League were utterly routed. Since the day of Breitenfeld, three years before, no such victory had been won. Its political consequences were immense. One by one the fortified towns of Southern Germany fell into the hands of the Imperialists. Breitenfeld had decided irrevocably that the Protestant lay-bishoprics of the North should not be

[1] Necolalde to Philip IV., $\frac{\text{Nov. 21}}{\text{Dec.}}$. *Simancas MSS.* 2520.

CHAP. IX. 1634. Aug. 27.

distributed amongst Catholic prelates. Nördlingen decided no less irrevocably that the Catholic bishoprics of the South should not be converted into principalities and duchies for the enrichment of Protestant soldiers of fortune. It was a victory for Spain even more than for the Emperor. It enabled the Cardinal Infant to carry his troops unmolested to the Netherlands. It did more than this. It gave to the Spanish statesmen a predominating influence in the council at Vienna. German interests would fall into the background in order that the paramount interest of Spain in keeping open the passage to the Netherlands might be consulted.

Sept. Reception of the news in England.

On the English people, and more especially on the English Puritans, the news of the battle could not fail to leave a profound impression.[1] D'Ewes was roused from his learned labours to lament that 'all the victories the glorious King of Sweden had acquired, and all the good successes his armies had gleaned up since his decease, were all dashed at one blow, and as it were unravelled by the fatal and never-enough-to-be lamented defeat of the Protestant army.' In the immediate circle round the King the feeling was one of the highest satisfaction. Portland took a high tone with Joachimi. "No harbours," he told him, "can be blockaded in the British sea." The lawyers had pronounced such an interference with his Majesty's rights as an attack upon Dunkirk to be contrary to all law both civil and international. He challenged the Dutch ambassador to controvert their reasoning.[2]

Oct.

It was impossible to doubt that the results of the

[1] It was received, Salvetti says, 'con assai generale dispiacere.' *Newsletter*, $\frac{\text{Sept. 26}}{\text{Oct. 6}}$.

[2] Joachimi to the States General, Oct. $\frac{11}{21}$. *Add. MSS.* 17,677 O, fol. 240.

CHAP. IX.

1634.

battle would compel the French to interfere in Germany more directly than they had hitherto done. Charles regarded the prospect with imperturbable self-satisfaction. He acknowledged to his sister that he had no forces to send to 'oppose at once the Imperialists and the French.' But he was ready to try once more the old game of balancing one against the other with as much assurance as if it had never been tried in vain before. This time, as Coke informed Boswell, he could not fail, 'the rather because the French themselves do now propound to treat with him on their behalf, and then if they shall insist upon unfitting conditions, the King of Spain was as forward to draw his Majesty to their side, and this balance in all probability may produce good effects, though otherwise there appeareth little cause to be confident in either. Yet surely by this way either fair conditions of a general peace will be obtained, or at least such a party be framed which will be fit for his Majesty to apply himself unto, being so strong that there may be the more hope for good success. The best service' Boswell could 'perform to his Majesty and to the Princess' was 'to persuade them to rest upon his Majesty's counsels for treaties or for force, as he shall see just cause.' Windebank added a special message to Elizabeth, imparting to her, in strict confidence, the information that Spain had promised that its triumphant army should abstain from molesting the Palatinate, and that its ambassador should do all good offices at Vienna on behalf of the son of the late Elector.[1] Elizabeth, it need hardly be said, received these assurances with entire incredulity. If, she replied, the Spaniards and the Emperor were so ready

Oct. 27. Charles's advice to his sister.

Oct. 28.

Dec. Elizabeth's reply.

[1] Coke to Boswell, Oct. 27. Windebank to Boswell, Oct. 28. *S. P. Holland.*

to restore the Palatinate now, why had they done nothing during the years when it had been in their power to restore it before?[1]

Sept. The French in Germany.

Charles's messages were an object of scorn to others besides his sister. When Anstruther repeated his master's hollow promises to Oxenstjerna, the Swedish Chancellor rode off to negotiate with the French ambassador without vouchsafing a word in answer.[2] He had no choice now but to accept Richelieu's predominance. The King of France took Bernhard and his shattered army into his pay. The Administrator unwillingly admitted French garrisons into the fortresses of the Palatinate. Before the end of the year a French army had crossed the Rhine, had occupied Mannheim, and had compelled the Imperialists to raise the siege of Heidelberg.

Dec.

Roe's opinion of Ship-money.

The occupation of the Palatinate by the French confirmed Charles in his preference for a Spanish alliance. Yet there were honest and clear-sighted men in England who failed to discover the workings of his mind. "His Majesty," wrote Roe, "has directed new writs of an old edition to the ports and maritime counties to maintain a proportion of shipping for the safe guard of the Narrow Seas according to the law and custom of England, which is very needful, for the French have prepared a fleet, and challenge a dominion in the seas where anciently they durst not fish for gurnets without license." "The inquisition into our own forests," he added, "will for the present bring money, and secure our timber to posterity."

How far was Ship-money a tax?

Coming from a warm opponent of the general tendencies of the Government, such words may serve as an indication how little disposition there was as yet in

[1] Boswell to Windebank, Dec. 2. *S. P. Holland.*

[2] Anstruther to Coke, Sept. 30. *S. P. Germany.*

CHAP. IX.

1634. Dec.

England to question the constitutional legality of Charles's demands upon the nation. In one respect indeed the call upon the port towns was perilously near to the imposition of a tax. In 1626 each town had been called upon to furnish such vessels as were to be found in its harbour, and the mode in which the burthens were to be divided amongst the community had been left to be settled by the local authorities. This time the vessels required were of such a size as to be found in no port in England except in London, and when the King offered to find the ships out of his own navy if the towns would find the money, the idea of personal service, upon which the whole fabric of the claim had been raised, was thrust into the background, and all that appeared was a direct demand for money to be paid over to a collector appointed by the Crown, and to be expended on the equipment and maintenance of the navy. Charles and his ministers would doubtless have argued that the difference was merely technical. But they had themselves taken too great advantage of technicalities to have a fair claim to such a plea, and after all, constitutional technicalities are no more than the guardians of the great principle of national life that a ruler can no more permanently cut himself off from the support of his people than a commander can permanently cut himself off from the chance of receiving supplies from his base of operations.

Dec. 2. The London petition.

Sooner or later, as the entire isolation of Charles's position and the extreme folly of the wisdom on which he prided himself were more clearly developed, the technical objections to his proceedings would become the watchwords of an excited nation. The only direct word of remonstrance as yet heard proceeded from the City of London. From the other towns came petitions complaining that the burthen had been unfairly ad-

justed; London alone asserted that it should not have been imposed at all. Upon the shoulders of the great commercial capital one-fifth of the whole weight descended. Out of 104,252*l.* London had to provide 20,688*l.*[1] London alone had no need to seek ships in the Royal Navy. Its quota to the projected armament was to be furnished from its own resources. No doubt, in an enterprise appealing to the national sentiment no excuses would have been made. Even now, the objection taken did not go to the root of the matter. The citizens were satisfied with asking exemption for themselves, 'conceiving that by their ancient liberties, charters, and Acts of Parliament, they ought to be freed and discharged of those things.'

The Lord Mayor before the Council.

The Lord Mayor was summoned before the Council, and reprimanded for his coldness in the King's service. He was told that the arguments of the City petition had already been refuted by the lawyers. In vain he offered to make excuses. He was ordered to return at once and to bring his fellow-citizens to a better frame of mind. Thoroughly intimidated, he professed his readiness to obey orders. The City lawyers were next sent for, and were warned 'to take heed how they advised the City in a case so clear for the King.' To an objection that the guardianship of the seas was already provided for by Tonnage and Poundage, Manchester answered curtly. "It is true," he said, "this writ hath not been used when Tonnage and Poundage was granted. Now it is not, but taken by prerogative, therefore this writ is now in full force."[2] Illogical as the argument was, the citizens did not venture to dispute it. There was a stormy meeting of the Common

Submission of the City.

[1] Russell's account, Apr. 1, 1635. *S. P. Dom.* cclxxvi. 8.

[2] Garrard to Wentworth, Jan. 11. *Straf. Letters*, i. 357. *Rushw.* ii. 265.

CHAP. IX.

Council, which resulted in a resolution to submit to the King's orders.

1634.

The feeling provoked.

The neck of the opposition was broken for the time. But the feelings by which it was prompted were not conciliated. "In this way," wrote the Venetian ambassador, "did this most important affair begin and end. If it does not altogether violate the laws of the realm, as some think it does, it is certainly repugnant to usage and to the forms hitherto observed." Charles, he further observed, was highly pleased. The step which he had gained was most essential to his projects, if he desired to free himself from the necessity of ever summoning a Parliament again. It was not, however, upon Charles that the blame was cast in the opinion of those who were most dissatisfied. Whatever went wrong was laid to the charge of the Lord Treasurer.[1]

Oct. 21. Portland's irregular receipts.

The attacks upon Portland by Laud and other Privy Councillors had not ceased during the autumn. In October he had been compelled to produce a list of the irregular receipts of his office, for the acceptance of which he had obtained the King's permission when he had been appointed to the Treasurership. The sum amounted to 44,000*l.*[2] But there can be little doubt that these payments formed but a very small portion of his receipts, and it was the opinion of those who had the best opportunities of judging, that he had raised a princely fortune by means which would not bear the light. As a financier and a politician, his recipe for every ill was to leave matters alone. With the help of the subsidies and the compositions for knighthood he had paid off the more pressing debts of the Crown; and if we hear much of the grievances of the debtors whose claims were still unsatisfied, it must be remem-

Portland as a financier.

[1] Correr's despatch, $\frac{\text{Dec. } 26}{\text{Jan. } 5}$, $163\frac{4}{5}$. *Ven. MSS.*

[2] *Clar. St. P.* i. 158.

bered that the contentment of those whose claims had been extinguished has left no trace. Scarcely anything was done to open new sources of revenue or to place the finances on a sounder basis. A few thousand pounds obtained in various ways were all that could be placed to his credit.[1] Yet it is probable that even his inertness saved the Crown from unpopularity. For it is certain that a moderate deficit at the end of every year would be less dangerous to the throne than a surplus gained by the febrile activity with which Noy and Finch had launched the forest claims and Ship-money upon the world. The forest claims were owing to the motion of Portland's rivals, and though Ship-money was invented to carry out his own foreign policy, there is no evidence to show that Noy was set to work by him. It may even be doubted how far that foreign policy was really his own. The deliberate preparation for an aggressive war with the Dutch bears rather the stamp of his master's mind, and it may well be that he lived in the hope that this warlike project would come to nothing, as so many warlike projects of Charles's had come to nothing before.

1634. Dec.

If such were Portland's hopes, he did not live to see how just his previsions were. He had long been suffering from a painful disease, which had been gaining ground for some months. On March 7 he was told that he was dying. On the 9th 'the King visited him, but stayed a very little while in his chamber; he breathed with so much pain and difficulty that the King could not endure it.' Laud offered to 'do him the last offices, to pray with him, give him the sacrament, and assist him now approaching to his end.' The dying man sent Cottington to thank him, and to ask his for-

1635. March 7. Portland's illness.

[1] Ranke's account of Portland's finance, derived from the Venetian despatches, is far too flattering. See Appendix.

CHAP. IX.

1635.

March 13. His death.

giveness if he had offended him in anything. He begged him to 'spare the pains of coming to him. God be thanked, he was at peace in his conscience.' On the 13th he died. It was soon rumoured that he died a Roman Catholic.[1] The rumour was true. But so long had he delayed the acknowledgment of his belief, that though his wife and daughters and most of his friends were Roman Catholics, it was only at the last that his true sentiments were known even to them. When all was over, one of his physicians hurried to an eminent ecclesiastic of the Church to the authority of which he had in the end submitted. "You may pray for his soul," he said, "for I believe that he died a Catholic."[2]

So passed away unregretted this 'man of big looks and of a mean and abject spirit.' "After six or eight years spent in outward opulency, and inward murmur and trouble that it was not greater; after vast sums of money and great wealth gotten, and rather consumed than enjoyed, without any sense or delight in so great prosperity, with the agony that it was no greater, he died unlamented by any, bitterly mentioned by most who never pretended to love him, and deserved best of him; and left a numerous family, which was in a short time worn out, and yet outlived the fortune he left behind him."[3]

March 15. The Treasury in commission.

The Treasury was put into commission. Laud, Cottington, Windebank, Manchester, and Coke were the Commissioners named. Laud too was put at the head of the Committee of the Privy Council for Foreign Affairs. Men began to look upon him as Portland's successor in Charles's favour. "The Archbishop's ability and integrity," wrote a news-collector of the

Laud regarded as Portland's successor.

[1] Garrard to Wentworth, March 12, 17. *Straf. Letters*, i. 387, 389.

[2] Panzani's despatch, March $\frac{13}{23}$. *Vat. Transcripts. P.R.O.*

[3] *Clarendon*, i. 54.

1635. March.

day, "both make him capable of as much employment as may be for his honour, but to manage all can be no better than a glorious burthen."[1] "This," wrote Roe, "is the great man, made now of the Commission of the Treasury and the first of the Junto of Foreign Affairs, and in the greatest esteem with his Majesty of any in my observance; and I will hope, whatsoever the world hath sinistrously conceived, that he will prove a happy instrument of the public, both at home and abroad; for upon less than great actions he is not set, and being now so great, he cannot be eminent and show it to the world by treading in beaten paths and the exploded steps of others. But he must choose and make new ways to shew he knows and can do more than others, and this only hath made the Cardinal Richelieu so glorious."[2]

Charles his own Foreign Minister.

It was not in Laud to be a Richelieu, and even if he had had the ability and desire to launch England upon a new course of foreign policy, he would never have been permitted to do so. Charles would continue as, in the main, he had been before, his own Foreign Minister. He would have as before a double policy, one practical and appealing to the vulgar instincts, to be pursued openly in the eyes of the world, and representing the least upon which he was prepared to insist, the other tentative and hopeful, beyond the limits of possibility, to be veiled in the profoundest secrecy. Of the first Laud was to be the instrument. Cottington and Windebank would be the sole confidants of the second.

Jan. 24. Charles urges Spain to conclude the treaty.

Charles therefore deliberately placed Laud in a false position. His negotiations with Spain were still in a critical state. In January, weary with Necolalde's constant objections, he had sent orders to Hopton to beg

[1] M. Nicholas to Nicholas. *S. P. Dom.* cclxxxv. 11.
[2] Roe to Elizabeth, Apr. 5. *Ibid.* cclxxxvi. 34.

CHAP. IX. 1635.

for a direct answer from the Government at Madrid. "The money itself, were it a great deal more," wrote Windebank, "is not considerable, but taken as a pledge of a straiter alliance between the two Crowns, and considering the consequences thereupon, it might have produced effects of great weight in Christendom; which, if they come to nothing now, his Majesty nevertheless is in the same condition he was, and the fault and loss must be theirs. The opening of the ports, freeing of trade, disassieging the coast of Flanders, which the Hollanders glory they hold beleaguered, but, above all, the friendship and alliance of the King of Great Britain, and the countenance and protection of his royal fleet, were he to treat with merchants would be worth the loan of 200,000 crowns; and, as little as they seem to value it now, they would heretofore have bought it at another rate." [1]

Jan. 20. Treaty between France and the States General.

Whilst Spain was apparently turning a deaf ear to Charles's overtures, France and the States General were drawing closer to one another. On January 20 a treaty was signed between them for an invasion and partition of the Spanish Netherlands, and though Charles was unable for a long time to come to a knowledge of its terms, he had every reason to suspect that they were not to his taste.

Seneterre in England.

Foreseeing Charles's annoyance, Richelieu had sent the Marquis of Seneterre to England as an extraordinary ambassador to join with Pougny in urging the King to take part in the alliance against Spain. Richelieu, it is true, knew Charles too well to expect his consent. But he thought that by asking for his alliance he might at least secure his neutrality.[2]

March. His negotiation.

Charles, who was at the moment nettled at the Spanish delays, named Commissioners to treat with

[1] Windebank to Hopton, Jan. 24. Clar. St. P. i. 226.

[2] Seneterre's instructions, Feb. $\frac{15}{25}$. *Arch. des Aff. Etr.* xlv. 395.

CHAP. IX.

Seneterre and Pougny. The Commissioners, Laud, Arundel, Carlisle, Holland, Windebank, and Coke were allowed to say that their master was inclined to listen favourably to the enemies of Spain. The Dunkirkers had just seized a herring-boat belonging to Pembroke, and had captured an English vessel laden with tobacco on the plea that that 'noxious superfluity,' as Charles called it, was to be reckoned amongst 'munitions of war.'[1] But before the negotiation was fairly on foot, Boswell, though he had been unable to gain a sight of the treaty of partition itself, contrived to send over a copy of a secret article which bound the Dutch and the French Governments to unite in resisting any attempt to break off the blockade of the Flemish ports.[2] If Charles had more than a momentary inclination to come to terms with France, that inclination was now at an end. He ordered the Commissioners to spin out time without coming to a conclusion.[3] To the French themselves he continued to speak as if he wished to remain on good terms with their master, but some who thought they knew his mind doubted whether these were, indeed, his real sentiments. "Although," wrote Necolalde, "he conceals his feelings, he detests these people and the shamelessness with which they talk and make a display. He knows that they merely wish to cheat him and to prevent his alliance with us."

March.

April.

Whether the French wished to deceive Charles or not, it is plain that he wished to deceive them and his own subjects as well. He pressed the French ambassadors to give him fitting assurances about the Palatinate. On April 11, apparently in order to give a more serious aspect to his overtures, he directed that a rumour should be raised that he was about to levy

April 11.

[1] Correr's despatch, March $\frac{13}{23}$. *Ven. MSS.* Gerbier's despatches, Feb., March, 1635. *S. P. Flanders.*

[2] Boswell to Coke, March 12. *S. P. Holland.*

[3] Windebank's notes, Apr. 3, 11, 13, 18. *S. P. France.*

CHAP. IX.

1635.

land-forces, and that the Council should issue letters ordering special attention to be paid to the musters.[1] A fortnight later his agent at Paris sent him a copy of the Partition Treaty between France and the States.[2] He now learned that by this treaty Dunkirk, Ostend, and Bruges were assigned to Lewis. At the same time he learned that a French fleet was preparing to enter the Channel, doubtless with the intention of joining the Dutch in besieging Dunkirk.

April 25. Charles obtains a copy of the Partition Treaty.

April 27. The musters to be attended to.

A call upon the people, made loyally and openly, could hardly have failed to bring to the surface whatever patriotic impulse was in them. There was a strong feeling in England that it would be unsafe to allow Dunkirk to pass into French hands. But Charles had not that definite grasp upon his own policy which would have enabled him to speak loyally or decisively. He preferred to keep as many questions open as possible. He ordered unusual attention to be paid to the musters. All untrained men between the ages of sixteen and sixty were to be enrolled. The beacons along the coast were to be looked to. The reason given for all this preparation to resist invasion was that it was necessary to secure the realm in the face of the great armaments on the Continent.[3]

Charles's object.

The musters were therefore to serve to deceive Charles's subjects into thinking that England was in danger of invasion. He knew perfectly well that there was as little chance of a French invasion of England as there was of an English invasion of the Palatinate. In truth he was anxiously waiting for a final answer from Madrid. Already in

[1] Windebank's notes, Apr. 11. *S. P. France.*

[2] The copy in *S. P. France* is indorsed as received at this date.

[3] The Council to the Lords Lieutenants, Apr. 27. *S. P. Dom.* cclxxxvii. 55.

1635.

March. Olivares's resolution.

the Spanish Council of State Olivares had declared that he saw no reason to change his opinion of the uselessness of the proposed treaty. Yet though there was little chance of seeing Charles engaged in an actual war with the Dutch, so small a sum as 50,000*l.* might be worth risking to gain his good will. Necolalde was especially charged to urge Charles to sign the proposed treaty for the partition of the Netherlands.[1]

May 1. The treaty with Spain agreed to.

Before the end of April, Necolalde informed Cottington of the favourable despatch which he had received. On May 1 the articles of the treaty for the employment of the fleet were put into a final shape, and according to orders from Madrid a courier was despatched to Brussels for the money which was to be paid by Spain towards its expenses. Charles, however, had, as Olivares suspected, not shown himself very eager about the further treaty binding him to attack the Dutch, and had asked that, at all events, its terms might not be committed to writing.[2]

What is to be done with the fleet?

All this while the greatest anxiety had been expressed in England to know what was the King's intention in setting forth a fleet. The Queen, who had again been won to the side of France by the civil speeches of Pougny and Seneterre, had used all her wiles to lure the secret from her husband. Charles only broke his usual silence to assure both her and all other enquirers that he merely meant to protect his coasts and the freedom of his subjects' traffic.[3] In this spirit were couched the instructions issued to the Admiral of the fleet, the Earl of Lindsey, the day after the agreement with Spain had been completed. Lindsey was further

May 2. Instructions to Lindsey.

[1] Consulta of the Council of State, March $\frac{15}{25}$. Philip IV. to Necolalde, $\frac{\text{March } 28}{\text{Apr. } 7}$. *Simancas MSS.* 2520.

[2] Necolalde to the Cardinal Infant, $\frac{\text{Apr. } 24}{\text{May } 4}$, May $\frac{1}{11}$. *Brussels MSS.*

[3] Necolalde to the Cardinal Infant, Apr. $\frac{3}{13}$. *Ibid.*

CHAP. IX. 1635. May.

informed that he must exact from all passing ships an acknowledgment of his Majesty's sovereignty, and that this sovereignty extended to the opposite coasts.[1]

To rouse all the landsmen in England to resist an imaginary invasion, and to send out a magnificent fleet to compel a few passing vessels to dip their flags and lower their mainsails was hardly a result worthy of the effort that had been made. Charles himself probably did not know his own intentions. The duplicity with which he was treating all around him had its root in the incoherence of his own ideas. He made different professions to different men, but in each case the profession answered to some fleeting purpose in his own mind.

May 9. France declares war against Spain.

Whilst Charles was scheming, Richelieu and Frederick Henry were acting. On May 9 a French herald rode into Brussels and formally declared war against Spain. The French army had already crossed the frontier and had defeated a Spanish force. On the 20th a junction was effected with the Prince of Orange.

May 23. No money to be found for Charles.

Under stress of war, the Cardinal Infant wrote to inform Necolalde that it was out of his power to send the expected contribution to the English fleet.[2] Necolalde accordingly adopted Charles's favourite device of spinning out the time, as he knew that it was unlikely that even such a sum as 50,000*l.* could be provided at Madrid for many months.

May 27. Lindsey takes command of the fleet.

Whatever Charles did therefore, he would have to do alone. On May 27 Lindsey took the command of his fleet in the Downs. He remained there long enough to convoy to Dunkirk twelve vessels laden with men and munitions of war. The Dunkirkers shewed their gratitude by chasing a Dutch ship into Dover roads, where,

[1] Lords of the Admiralty to Lindsey, May 2. Lindsey to the King, with Coke's marginal reply, May 14? *S. P. Dom.* clvii. fol. 135 b., cclxxxviii. 85.

[2] The Cardinal Infant to Necolalde, $\frac{\text{May } 23}{\text{June } 2}$. *Brussels MSS.*

CHAP. IX.

1635.

but for the active intervention of the crew of an English merchantman, they would have captured her under the very guns of the town and castle.[1] On June 6 Lindsey weighed anchor, and sailed down Channel to compel the combined French and Dutch fleets, which were expected to reinforce the blockading squadron before Dunkirk, to salute the English flag.

June 6. He sails down Channel

Four days after Lindsey sailed from the Downs a rumour spread over London that a sea-fight had taken place in the Channel. A violent cannonade, it was said, had been heard on the English coast. Charles, who had done his utmost to bring about a collision, looked anxious and moody. At last it turned out that the fleet had fired the guns in salute of a Danish squadron going peaceably on its way.[2]

June 10. False news of a sea-fight.

If the false rumour of a conflict was not speedily succeeded by a true one, it was owing to Richelieu, not to Charles. The French minister would never permit the lilies of France to be lowered before the banner of St. George, but neither was he ready to provoke a neighbouring nation to war, to gratify a punctilio. On the 13th the combined fleet of France and the States was lying in Portland Roads. On the 15th, whilst Lindsey was still at St. Helen's, Richelieu sent instant instructions to the French Admiral to retire with three of his smallest vessels to Belle Isle, putting the other ships of his squadron under the orders of the Dutch Admiral, and giving directions that they should carry no flags at all. The Dutch had never made any scruple about saluting the English flag, and the French ships, without their Admiral, might count as Dutch for

June 15. Richelieu averts a conflict.

[1] Correr's despatch, June $\frac{3}{13}$. *Ven. MSS.* Lindsey to the Lords of the Admiralty, May 30, June 6. Conway to Coke, June 5. *S. P. Dom.* cclxxxix. 75, ccxc. 25, 34.

[2] Correr's despatches, June $\frac{10}{20}$, $\frac{12}{22}$. *Ven. MSS.*

CHAP. IX.

1635. June.

the occasion. The next day Richelieu heard that the Spanish transports had already been convoyed into Dunkirk by Lindsey, and he at once ordered both the Dutch and the French ships to the coast of Spain. There was no longer any need of their presence in the Channel, and it was better that even the slightest risk of an unnecessary collision should be avoided.[1] Lindsey's operations were thus reduced to a mere display of naval force. Charles and his ministers, eager for something more than this, urged on the commanders the necessity of doing something for the King. "You must command the seas," wrote Coke, "or be commanded. Wisdom seeks not danger when with honour it may be shunned, but where honour and dominion lie at stake, brave men will set up their rests."[2] Lindsey did not need such encouragement to execute his orders. But he could but ply up and down between Plymouth and the Lizard in the hope that the French Admiral would again appear in the Channel. Even Charles did not claim a salute in the Bay of Biscay, and as England was not at war with France, it was therefore useless to pursue the French fleet to waters undeniably their own.

June 25. Lindsey finds no enemy.

June 16. Richelieu proposes a compromise.

Richelieu was naturally anxious that no risk of a conflict should occur in the future. He instructed Seneterre to propose a compromise. Let the flag of each nation receive a salute when within sight of the shore to which it belonged. In mid channel the smaller fleet might pay respect to the larger whatever its nationality was. If Charles was not satisfied with this proposal, any reasonable expedient would be accepted in its place.[3]

[1] Richelieu to De Manty, June $\frac{15}{25}$, $\frac{16}{26}$. *Lettres de Richelieu*, v. 66.

[2] Coke to Conway, June 25. *S. P. Dom.* ccxci. 59.

[3] Lewis XIII. to Seneterre and Pougny, June $\frac{16}{26}$. *Bibl. Nat.* Fr. 15,933. Compare *S. P. Dom.* ccxci. 80.

Charles would not hear of a compromise. He replied that Philip II. had saluted the English flag when he came to marry Queen Mary. Elizabeth had told Henry IV. plainly that if he pretended to authority on her sea she would sink his ships. Charles had yet to learn that stubborn facts would not give way before the most ample store of precedents. Seneterre answered reasonably that Lewis was not bound to repeat the concessions which his father had made to a useful ally at a moment when he was struggling for existence. Richelieu, however, was unwilling to push the controversy to extremities, and directed the ambassadors to say as little about the dispute as possible.[1]

July 2. Charles rejects it.

Richelieu, in truth, had more serious matters to consider. The attack upon the Spanish Netherlands, from which so much had been expected, had ended in failure. On May 29 the allies stormed Tirlemont. The French troops sacked the town, and committed the most horrible outrages upon the inhabitants. The cry of the victims resounded from one end of the country to the other. The grievances which had led to such bitter complaints of the Spanish Government were forgotten in a moment. Burgher and nobleman joined to protest that they would be neither Frenchmen nor Dutchmen. The townsman left his shop to keep guard upon the wall, gentlemen hurried into Brussels to place their swords at the disposal of the Cardinal Infant. The invaders strove in vain to stem the torrent of the national uprising. They laid siege to Louvain on June 15, only to abandon the attempt on the 24th. A body of Imperialist troops from Germany threatened to take them in the rear. The French regiments

Failure of the French attack upon the Spanish Netherlands.

[1] Coke to De Vic and Augier, July 2. *S. P. Dom.* ecxciii. 12; Seneterre to Bouthillier, July $\frac{3}{13}$, $\frac{8}{18}$. Bouthillier to Seneterre, July $\frac{10}{20}$. *Bibl. Nat.* Fr. 15,993.

35203

CHAP. IX.

1635. June.

especially were in evil case. Their commissariat was deficient, and their discipline lax. They melted away under hunger and sickness as Mansfeld's troops had melted away ten years before. But for the timely offer of bread from the Dutch stores, they would have been starved outright. As it was, they deserted their standards by two or three hundred at a time.[1] There was nothing for it but a hasty retreat. On July 26 the Dutch, long unused to failure, learned that a party from Gueldres had seized on Schenck's Sconce, the fortification which commands the two great arms of the Rhine at their point of separation.

July 26. Loss of Schenck's Sconce.

Charles without allies.

One object of Charles's wishes had thus been obtained without his co-operation. Dunkirk was not likely to fall into French hands for some time to come. If he had never put a single armed vessel to sea, never levied a single penny of Ship-money, the result would have been precisely the same as it was. His own position could not be the same as it was. His irritating, hesitating aims, his arrogant pretensions, his contemptuous ignorance of the requirements of other States, had left him without a friend in Europe. France and the States General had no reason to thank him. The offer of the Spanish alliance had not been renewed, nor did it seem probable that it ever would be renewed. In the midst of the stirring events of the early summer Charles's hopes of regaining the Palatinate by negotiation had received an unexpected shock. On May 20 the Emperor and the Elector of Saxony signed the Peace of Prague. Ferdinand at last consented to abandon the Edict of Restitution, though such ecclesiastical lands as had been recovered by the Roman Catholic Church before 1627 were still to be retained by it. The remaining stipulations were a sad blow to Charles's

May 20. The Peace of Prague.

[1] Boswell to Coke, July 2. *S. P. Holland.*

CHAP. IX. 1635. May 20.

wishes. Whatever terms were made were made for the Lutherans alone. Calvinism was not acknowledged as a recognised religion. The Palatinate was not to be restored. If the children of the late proscribed Elector made their submission in humble form, some sustenance might be granted them out of charity, but they were to claim nothing as of right. The Emperor, the closest ally of that Spain for the sake of which Charles believed himself to have done so much, had definitely pronounced against the wish which, next to the maintenance of his own authority, was nearest to his heart.

July. The fleet in the Channel.

If Charles had done nothing to attach the Spanish Government to himself, he had done much to exasperate the Dutch. He spoke openly of his purpose to vindicate the right of his subjects to trade freely with Dunkirk.[1] His fleet was doing no good in the West. There was no enemy to fight, and the victualling officers had proved as roguish or incompetent as they had proved in the days of Buckingham. The sailors complained that whenever a cask of salt beef was moved, the smell which issued from it was bad enough to breed a plague.[2] Sickness broke out amongst the crews and carried off 600 men. In August Lindsey returned to the Down to revictual.[3]

English merchant vessels pillaged.

He found that his master's sovereignty of the seas was being questioned in another way than by a mere refusal to dip the sail. English vessels had been pillaged in the very straits of Dover. Even the post-bark which had hitherto passed unquestioned between Dover and

[1] Joachimi to the States General, $\frac{\text{July } 30}{\text{Aug. } 9}$. *Add. MSS.* 17,677 O, fol. 363.

[2] Lindsey to the Lords of the Admiralty, July 21. *S. P. Dom.* ccxciv. 20. Correr's despatch, $\frac{\text{July } 30}{\text{Aug. } 9}$. *Ven. MSS.*

[3] Pennington to Nicholas, Aug. 3. Windebank to Coke, Aug. 6. *S. P. Dom.* ccxcv. 18, 37.

CHAP. IX.

1635. July. The Dunkirk privateers seize the Dutch fishing boats.

Dunkirk had been rifled by a vessel from Calais.[1] The Dutch were still more exasperated than the French. The Dunkirk privateers had broken the blockade, and had dashed at their fishing-boats in the North Sea. A hundred large herring-busses, as they were called, were destroyed or captured. English sailors passing along the coasts of Northumberland and Durham saw the sky red with the flames of burning vessels. The Dutch ships of war hurried to protect or revenge their countrymen. The privateers fled for refuge into English waters. It was hard for the Dutch captains, in their mood of exasperation, to see their prey escaping. One of them followed a Dunkirker with his prizes into the port of Scarborough. The quarrel was fought out close to the shore. Shot and bullets flew about, and some of the townsmen were wounded. The Dutchmen gained the upper hand, and sailed away triumphantly with the vessels which they had captured. A fortnight later another Dutch ship chased a privateer into the same port, sent sixty or eighty men on shore, vowing that they would have the ship or lose their lives.[2]

July 13. Fights at Scarborough.

July 26.

Aug. 15. The Dutch land at Blythe.

Lindsey was ordered to detach three ships to the North to repress these outrages.[3] Before they reached the North a fresh violation of neutrality was reported from Blythe. To make sure of capturing a Dunkirk privateer, a Dutch captain had landed his men, had pursued his enemies two miles inland, and had robbed them before he let them go. Lindsey's ships did not succeed in meeting with the offender, but they seized another Dutch man-of-war which ran under their guns in hot pursuit of an enemy, and sent it as a

[1] Examinations of Perkins and Redwood, July 8. *S. P. Dom.* ccxciii. 70, 71.

[2] Atmarr to Osborne, July 14? Bailiffs of Scarborough to Osborne, July 26. *S. P. Dom.* ccxciii. 107, i. ccxiv. 46, i.

[3] The Council to Lindsey, July 29. *Ibid.* ccxciv. 55.

prize to Hull on the mere chance that it might prove to be one of those which had done the mischief at Scarborough or Blythe.[1] Lindsey himself remained for some time in the Downs despatching vessels from time to time to convoy English merchants to Dunkirk or Ostend.[2] Before the end of September he weighed anchor once more and steered down Channel. He did not get beyond the Isle of Wight. The autumn storms checked his course, and his provisions were again running short. On October 8 he struck his flag. The great fleet upon which the eyes of Europe had been fixed had succeeded in capturing one Dutch vessel, had convoyed a few English traders and some Spanish transports to the Flemish ports, and had compelled a large number of merchantmen of various nations to lower their sails in token of respect. Beyond this it had accomplished nothing.[3]

Aug. End of Lindsey's employment.

Sept.

Oct. 8.

It is undeniable that the knot of foreign policy which lay before Charles in the autumn was not easy to untie. To give active support to Spain was to prop up a decaying and unintelligent rule against the living powers of the world. To give active support to Richelieu and the States-General was to impose a foreign yoke upon a people by whom it was detested. Neutrality, too, had its own risks. Dunkirk in the hands of France would be truly formidable to England, whilst its maintenance in the hands of Spain by direct or indirect aid from England implied the

Difficulties of the situation.

[1] Information of Cramlington and others, Aug. 16. *Ibid.* ccxcv. 71; Joachimi to the King, Aug. 25. Answer to Joachimi, Aug. 27. *S. P. Holland.* Joachimi to the States General, $\frac{\text{Aug. 25}}{\text{Sept. 4}}$, $\frac{31}{10}$. *Add. MSS.* 17,677 O, fol. 378, 382.

[2] Lindsey to Windebank, Aug. 27; Pennington to Nicholas, Aug. 31. *S. P. Dom.* ccxcvi. 30, 55.

[3] Lindsey to Coke, Sept. 25. Lindsey's relation, Oct. 8. *S. P. Dom.* ccxcviii. 45, ccxcix. 28.

CHAP. IX. 1635.

maintenance of a nest of privateers which sent forth havoc and destruction upon the fishermen and traffickers of Holland and Zealand. It may be that the best solution of the difficulty was to be found in a prudent adaptation of Roe's policy to the circumstances of the case, and that a firm intimation that while England would resist to the uttermost any attempt to establish a French garrison in Dunkirk, she would not oppose an increase of the Dutch territory in that direction, would have been the wisest course to have adopted. But however that may have been, no word of condemnation is too strong for the manner in which Charles treated the whole subject of his relations with the Continent. It had all the weakness of a purely selfish policy, without any of the apparent and momentary strength which a selfish policy receives from vigour of conception and boldness of action.

One man alone in Charles's service was capable of applying to the problem the qualities which for a time at least might have given weight to the defence of English interests on the Continent. But Wentworth was hard at work in Dublin, and even if Charles had wished it, he could never have found another servant fit to replace him there.

CHAPTER X.

WENTWORTH IN IRELAND.

1615. St. John's government of Ireland.

FOR seven years, from 1615 to 1622, Sir Oliver St. John, created Viscount Grandison in 1621, ruled Ireland. In the main, he walked in the steps of Chichester. In Wexford, Leitrim, Longford, Westmeath, and in other parts, advantage was taken of some defect in the title by which, according to English law, the owners of the soil held their property, to convert the old loose Irish tenures into heritable freeholds. It was St. John's special merit that he induced the King to carry out the plan which had originally commended itself to Chichester. The natives were first satisfied before English colonists received their allotments. The advantage of the change was so great to the new native proprietors, that it is probable that if the system had been fairly tried on a large scale a valuable class of Irish landowners would have rallied round the Government.[1]

Difficulties in his way.

If St. John's system was to be carried out there would be need of a watchful eye and a firm hand at the seat of Government. Dublin swarmed with adventurers who had crossed St. George's Channel to repair their broken fortunes. The Celtic tribesman was filled with a well-grounded suspicion of the English-speaking

[1] The history of the settlements is to be found in St. John's correspondence. *S. P. Ireland.*

CHAP. X. 1615.

speculator who was skilled in all the arts by which his neighbour's landmark might be removed without open violation of the law. Again and again the natives tacitly acknowledged that the new system, if fairly carried out, was better than the old, and that property had its charms; but the old system, with all its faults, was familiar to them, and the old life, with its wild outbursts of animal spirits, its joyous disregard of the decencies of civilised existence, was hard to shake off.

The religious difficulty.

The religious difficulty in the way of the establishment of good government in Ireland was closely connected with the social difficulty. The mental condition of Irishmen was not such as to offer a good soil to Protestant doctrine, and, even if it had been otherwise, the mistrust of English interference which was not unreasonably felt would have been certain to show itself in a clinging attachment to the Roman Catholic Church. It was impossible for any Government to look without grave disquiet upon the influence of a priesthood which could not by any possibility be otherwise than disloyal to a Protestant sovereign who was bent on maintaining the predominance of his own religion. It is true that a ruler in possession of overwhelming military force would have found his wisest course in tolerating what he could not alter, and in endeavouring, by the maintenance of order and by the diffusion of the blessings of an enlightened government, to rally round him the gratitude of those who would owe to him much of their material prosperity, and whose spiritual interests were left to their own care. Unhappily, not only was toleration, in those days, regarded as a bad thing in itself, but the Irish Government had not the command of that force which alone could make its exercise practicable. The Irish army was

but a mere skeleton of a military force,[1] and there were no regiments of trained soldiers to be had at short notice from England. A combination of the Irish tribes even from a few neighbourhoods would be a danger which would task all the resources of the Deputy, and it was certain that no organisation was so capable of bringing about a combination of the natives as that of the priesthood of the Church of Rome. The difficulty in the way of the Government was political as well as religious. It was too political to justify any Lord Deputy in refusing to confront it. It was too religious to give him any chance of encountering it with complete success. Irish governments had long vacillated between supine neglect of the danger and vigorous but hopeless repression. Grandison, like a soldier as he was, sprang fiercely at his enemies. The clamour which he roused in Ireland reached the throne in England. James bent before the storm and recalled the Deputy.

1622. Recall of Grandison.

Henry Cary, Lord Falkland in the Scottish peerage, was, through Buckingham's favour, appointed his successor. A man naturally kindly and desirous of fulfilling his duties, he was alike wanting in the clear-sightedness which detects the true root of an evil and in the firmness which is needed to eradicate it. His letters are full of querulous complaints of men and things, and of expositions of the intractable nature of the population committed to him, mingled with very scanty suggestions of remedies to be adopted.[2]

Falkland Lord Deputy.

The first necessity of the Irish Government was a faithful and well disciplined army. Falkland, on his

The army in Ireland.

[1] On Feb. 4, 1622, the whole force consisted of 1,717 men. *S. P. Ireland.*

[2] His despatches may be read in the *State Papers, Ireland.*

CHAP. X.

1622. arrival, found a force consisting of 1,717 men of all arms. Even this diminutive army was left unpaid for months together. There was a standing deficit in the Irish exchequer, and England did little or nothing to

1624. supply the want. In 1624, when a war was expected with Spain, the number of soldiers was increased, and for six months the new levies were paid out of the subsidies granted by the English Parliament. After that they were

1625. thrown upon the resources of Ireland. At the end of the year Falkland complained that the pay of the men was four months in arrear.[1] The natural consequences ensued. The appointed guardians of the peace became

1626. its worst violators. The peaceable inhabitants were robbed in order that the soldiers might have wherewith to live. The discipline of the army was ruined, whilst the discontent of Irishmen of all classes was justifiably excited.

Sept. 22. The army to be increased.

In the autumn of 1626, when it seemed likely that a war with France would be added to the war with Spain, the King determined to increase the Irish army still more. He would have a standing force of 5,000 foot and 500 horse. But the support of this army was not as hitherto to be left to chance. The chief nobility of the country were to be invited to engage that a general contribution should be paid by each county for its maintenance, and the King was to promise in return to make certain concessions to the demands which they were ready to lay before him.

The Graces.

These concessions, when drawn up in due form, are known in history as the Graces. Those which touched the Church and the land, the two standing difficulties of every Irish Government, possessed a special importance.

[1] Falkland and the Council to the English Council, Nov. 28, 1625. Falkland and the Council to the King, March 4, 1626. *Add. MSS.* 3827, fol. 56, 74.

CHAP. X.

1626.

In the face of the enormous numerical superiority of the Catholics in Ireland, no attempt had been made to introduce the severe recusancy law of England. The public exercise of Catholic worship was indeed prohibited, and a fine of a shilling was imposed every Sunday upon those who absented themselves from the Protestant churches. But practically the fine was rarely levied even partially, and but little difficulty was thrown in the way of any Catholic who wished to attend mass in private. Special grievances, however, weighed heavily upon the upper classes. No man could take office or even practise in the law courts without taking the oath of supremacy. James too had established a Court of Wards in Ireland, which claimed the right of providing that the heirs which fell under its control should be educated in the Protestant religion, and when the heir was of full age the oath of supremacy was tendered to him before he was allowed to enter upon his inheritance.

Articles affecting the Church.

For most of these grievances provision was made by the Graces. Charles could not persuade himself to abandon his hold upon heirs under age, but he consented to substitute for the old oath of supremacy a new oath of allegiance which no loyal Catholic would feel any difficulty in taking, as well as to renounce, except in special cases, the shilling fine for non-attendance at church.

On the land question the Graces were still more liberal. By his consent to the acceptance of sixty years' possession as a bar to all claims of the Crown based upon irregularities of title, Charles put an end to the prevailing fear of fresh plantations, a boon which was more especially welcome in Connaught. The landowners there had received a recognition of their

Articles affecting the land.

CHAP. X. 1626.

titles from Elizabeth and James,[1] but the officials entrusted with the duty of inrolling the patents by which this recognition acquired legal force had neglected their work. Charles now declared that no advantage should be taken of the omission. Finally, he promised to call a Parliament in Ireland to take into consideration the grievances of his subjects.[2]

Irish notables consulted.

In November an informal assembly of Irish notables was held at Dublin. Its consent was asked to the bargain proposed by the King, but its members professed themselves incompetent to make a money grant without consulting their neighbours, and the meeting was therefore prorogued till April, when the Bishops and Peers of which it was composed might be reinforced by a body of commissioners selected by some kind of irregular election in the counties. When the assembly met a second time, objections to the demand for money poured forth on all sides. The Peers

1627. April.

[1] In view of Wentworth's proceedings in Connaught, the following extract from a letter from London is worth reading, as showing that the landowners there had every reason to understand the question as settled in their favour. "My Lord Chi[chester] hath writ to the Duke concerning the business of the Connaught surrenders, and till he heareth from him he forbeareth to give answer to your letters. The 22nd of the last month, amongst other Irish business, the Commissioners attending the Lords of the Council, the Connaught surrenders were spoken of, and how they were in fear of a plantation. The Lords so much declared themselves against a plantation that, though they did not absolutely order it at the Board, yet they gave commandment to Mr. Meautys that there waited, to keep a remembrance that they were of opinion and held it fit that his Majesty would be pleased to signify his pleasure to the Deputy, that in case they wanted a due form, either in surrendering, passing, or enrolling their patents in due time, that some should be sent hither out of that province authorised, who should bring one of their patents with him, if all keep but one form, which shall be viewed by the King's learned counsel, from whom they should receive a form of passing all the rest; and that there should be one easy and certain rate set down what every one should pay for passing them anew." J. W. to Falkland, Dec. 4, 1624. *Add. MSS.* 3827, fol. 45.

[2] Original draft of the Graces, Sept. 22, 1626. *S. P. Ireland.*

thought a militia commanded by themselves would be far better than a standing army. The Bishops, with Usher, now Primate of Ireland, at their head, protested against the modified toleration proposed, and inveighed against the impiety of setting religion to sale. Falkland had to tell them that the King was resolved to have an army, and only wanted their advice on the most convenient way of raising the supplies. In the end, they agreed to sanction the levy of a contribution for a single year on the understanding that their agents, chosen partly by the nobility and partly by the inhabitants of the several counties, should go to England to negotiate a more permanent arrangement.[1]

1627. April.

It may be that it was easier to raise an opposition to Falkland at Dublin than it was to contend with the King himself and the Privy Council at Whitehall. At all events, when the agents appeared in London in the spring of 1628 they gave complete satisfaction to the Government. They bound Ireland, as far as they were able to bind it, to provide 40,000*l.* a year for three years, a sum which would be sufficient to support the army. The payment was to commence at once, and was to be deducted from the subsidies which might be granted in the next Parliament.

1628. May. Contribution agreed to.

In return they received the Graces, modified by the omission of the engagement to abstain from enforcing the weekly fine for non-attendance at church. The new oath of allegiance, the abandonment of the right to enforce the King's title to land which had been in private hands for more than sixty years, were both conceded, and a special promise was given that the landowners of Connaught should receive in the next Parliament a confirmation of their estates, 'to the end

The Graces.

[1] Diary of the proceedings of the Assembly, Oct. 1, 1626, June 1627. Falkland to the Council, May 3, 1627. *S. P. Ireland.*

CHAP. X.

1628.

the same may never hereafter be brought into any further question by us, our heirs and successors.'[1]

July. Parliament summoned.

November 3 was fixed as the day on which the promised Parliament was to meet, and the writs for the elections were actually issued by Falkland.[2] The English Council, however, reminded him that Poyning's law imposed upon them the task of approving of all bills to be submitted to the Houses in Dublin, and that he had not left them time to give the necessary attention to the business. Though some at least of the elections had already taken place,[3] Falkland was obliged to announce that he had acted beyond his powers, and to withdraw the writs which he had issued.[4]

Sept. It is countermanded.

There is no reason to suppose that anything more than a brief delay was intended.[5] In the spring of

[1] The King to Falkland with instructions inclosed, May 24, 1628. *S. P. Ireland.*

[2] Falkland to the King, July 29. *Ibid.*

[3] At Dublin, the election took place on Oct. 7. The Protestant candidates had about 1,000 votes, the Catholic about 1,400, 'most very poor men, as porters, &c.' Sir J. Ware's Diary, *Crowcombe Court MSS.*

[4] Falkland and the Council to the English Council, Sept. 8. *S. P. Ireland.*

[5] Most writers charge the King with deliberately breaking his promise to summon a Parliament. The correspondence in the *State Papers* warrants a different conclusion. On Aug. 15 the English Council wrote to Conway that the time allowed them was too short to correspond with the Deputy on difficulties which might arise in the preparation of the Bills. They therefore did not think Parliament could meet in November. "If his Majesty," they went on to say, "do continue his purpose to have it called any time the next winter, we hold it very necessary that we should receive speedy direction to appoint a Committee of some intelligent men of the courses of that kingdom to consider of all such things as will be necessary to be resolved of for the preparation of a Parliament then, and they to make report unto us of their conclusions; . . . and we hold it further requisite that his Majesty would be pleased to direct us to write to the Deputy and Council there concerning his gracious pleasure of holding the Parliament, for that we doubt that they in that kingdom begin to grow into some diffidence of the continuance of his Majesty's intention in that behalf, having heard nothing of it since the going over of the agents." On the 21st, Conway was satisfied with their statement, and ordered them to write to the Deputy and Council in Ireland, 'to

1629, however, the English Council was anxiously smoothing away difficulties before the approaching session at Westminster, and it is no matter of surprise that, when that session came to an untimely end, Charles should have been in no mood to encounter another Parliament at Dublin. The very name of a Parliament must have brought before his eyes a vision of riot and confusion, of false charges shouted out against his faithful ministers, and of a Speaker held down by violence in the Chair. Unfortunate as the delay may have been, it is surely unnecessary to seek further for its motives.

March. Difficulties with the Catholics.

Not that causes were wanting to make Charles hesitate to follow on the path on which he had entered. The Catholic priests construed the concessions made as an acknowledgment of weakness. In Monaghan they invaded the churches, drove away the Protestant incumbents, and celebrated mass at the re-established altars. In Dublin buildings were erected as a monastery for the friars, and there too mass was attended openly by large crowds.

1628. Aug. Case of Phelim Byrne.

Nor was the internal harmony of the Irish Govern-

assure them of his Majesty's constant resolution to have a Parliament called and holden there as soon as the needful forms and preparations for that assembly will admit, which your Lordships may intimate are already in hand and shall be prosecuted with all fitting expedition.' On the 25th the Council wrote accordingly, and their letter was received by Falkland on Sept. 5. The next day the Deputy, with the advice of his Council, resolved that the elections should nevertheless proceed, proposing to adjourn Parliament when it met. Meanwhile, on Sept. 9, a committee of lawyers in London certified the English Council that an Irish Parliament could not even be summoned till the Bills to be laid before it had been approved under the Great Seal of England. This, I suppose, settled the matter, and the summons must have been rescinded on the intimation of this opinion. There is then nothing here showing any underhand desire of the King to postpone the meeting of Parliament. Why the postponement lasted so long is merely a matter of conjecture, and the explanation given above seems to be sufficiently reasonable to make it unnecessary to resort to the idea of deceit.

CHAP. X. 1628.

ment itself such as to fit it for the delicate task of meeting Parliament. A certain Phelim Byrne and his two sons were lying in prison in Dublin Castle on a charge of plotting a rebellion. Falkland took up the case against them warmly, and believed that he had made a discovery of the utmost importance to the safety of the country. The Lord Chancellor, Lord Loftus of Ely, and Sir Francis Annesley,[1] the Vice Treasurer. asserted that the Deputy had been the victim of a wicked plot, and that the accused persons were guilty of nothing more than a desire to hold their lands against Sir William Parsons, the Surveyor General, and other English officials, who had forged evidence against them, and who had even falsified the statements of the men themselves into a confession of guilt by mistranslating their expressions from the native Irish. The result was an explosion of wrath on the part of Falkland. The English Council, seeing that he had made up his mind on the case, ordered a fresh enquiry, from which he was excluded. The enquiry resulted in an acquittal of the Byrnes. But the lands which were said to be the real cause of the charge against them remained in the hands of Parsons.[2]

1629. Aug. 10. Recall of Falkland.

Such a story, whatever the real truth may have been, was not like to secure the loyalty of the Irish to the English Government. Falkland's vehement advocacy made it impossible to leave him longer in Ireland unless a complete change was to take place in the Council. In January the Earl of Danby was named as Falkland's successor.[3] But Danby was not very

[1] Afterwards the Lord Mountnorris who figures in the charges against Strafford.

[2] Carte's *Ormond*, i. 27. Apology of Falkland. *Harl. MSS.* 2305, fol. 382. The State Papers, arranged and unarranged, are full of correspondence on the subject.

[3] Sir J. Ware's Diary. *Crowcombe Court MSS.*

willing to engage again in the service of the State, and in August 1629 the Lord Deputy was ordered to hand over his authority to two Lords Justices, on the decent pretext that the King needed his advice at home. 1629.

The Lords Justices.

The Lords Justices were the Lord Chancellor and Richard Boyle, Earl of Cork. They reduced the army, and extended the time for the payment of the contribution from three years to four. They also proceeded vigorously against the convents and the open celebration of the mass in Dublin. The friars and nuns were driven out, and their houses were seized for the King's use.

On May 11, 1630, about two hundred lords and gentlemen were summoned to the Council table, and were asked whether they wished to have a Parliament or not. All, with the single exception of Lord Gormanston, answered in the affirmative. It was then settled that it should meet in November.[1] When November arrived, however, no attempt was made to carry out the agreement.

1630. Parliament again promised.

The day, however, at last arrived when a Parliament must be faced. At Christmas 1632 the contributions would come to an end. In the preceding January Charles announced that he had chosen a new Deputy. Wentworth was to be entrusted with the task of bringing Ireland into order.[2]

1632. Jan. 12. Wentworth Lord Deputy.

His qualifications for his task.

The new Lord Deputy had already shown himself to be possessed of some of the highest qualifications of a ruler. He had a rapid intelligence, a firm will, and a fixed resolution to allow no private interests to stand in the way of the interests of the State. In his correspondence with Laud this resolution was expressed by the word 'thorough.' There was to be thorough earnestness, thorough self-abnegation in the service

[1] Sir J. Ware's Diary. *Cowcombe Court MSS.*

[2] The King to the Lords Justices, Jan. 12. *Straf. Letters*, i. 63.

CHAP. X. 1632.

of the State, thorough activity, too, of proceeding against those who opposed their own inactivity or greed to the just requirements of the Government. Such a man could hardly seek less than absolute power. Every evil which he connected with Parliamentary or official independence in England would return upon him with redoubled force in Ireland. Privy Councillors and officers of various kinds looked upon their posts as property to be used for the best advantage, and would turn sharply upon the man who required from them the zealous activity which he himself displayed. Nor was it possible in Ireland to fall back upon Parliament as a controlling force. In England the voice of Parliament was coming to be more than ever the voice of an united nation. In Ireland there was no nation to represent. There were members elected by the English colonists and members elected by the Irish population. There was no common feeling, no possibility of combining to form a basis of authority. What Ireland needed was a government like that of India in the present day, supporting itself on an irresistible army and guided by statesmanlike intelligence. It was unfortunate that in their honourable anxiety to raise Ireland to the level of England, English statesmen had thrust upon the country institutions for which it was manifestly unfit. Parliaments divided into two nearly equal factions, with scarcely a point in common, juries delivering verdicts from fear or favour, could never give real strength to a Government. Wentworth did not respect these institutions. He believed himself capable of doing more for Ireland than Irishmen themselves could do. Unhappily, his very intellectual superiority led him to think very much of doing the thing that was right and profitable, and very little of the morality of the means which he

The Irish officials.

The Irish Parliament.

Wentworth's system of government.

took to accomplish his ends.[1] If Parliaments or juries objected to give effect to his schemes, all means, threats, persuasion, or cajolery, were to be employed to overcome their resistance. He had come to regard all constitutional restraints as mere impediments to honest action. "I know no reason then," he wrote to Laud, after he had been a few months in Ireland, "but you may as well rule the common lawyers in England as I, poor beagle, do here; and yet that I do, and will do, in all that concerns my master's service, at the peril of my head. I am confident that the King, being pleased to set himself in the business, is able by his wisdom and ministers to carry any just and honourable action through all imaginary opposition, for real there can be none; that to start aside for such panic fears as a Prynne or an Eliot shall set up, were the meanest folly in the whole world; that the debts of the Crown taken off, you may govern as you please."[2] Nor was it only with lawyers and Parliaments that he was ready to deal in this high-handed fashion. In his impatience of ignorant obstructiveness, he shut his eyes to the necessity of respecting the ideas and habits of a population,

[1] I do not know whether Wentworth was a student of Machiavelli. But there is much in his conduct in Ireland which reminds us of *The Prince*, not only in his recognition that good government is the firmest support of authority, but in particular acts. The settlement of Connaught, for instance, is the translation into action of Machiavelli's words, cap. iii. L' altro miglior remedio è mandare colonie in uno o in duoi luoghi, che siano quasi le chiavi di quello Stato; perchè è necessario o far questo, o tenervi assai gente d' arme e fanterie. Nelle colonie non spende molto il Principe, e senza sua spesa, o poca, ve le manda e tiene; e solamente offende coloro a chi toglie li campi e le case per darle a nuovi abitatori, che sono una minima parte di quello Stato. Another of Machiavelli's maxims was turned against him by Charles (cap. xix.). "Di che si può trarre un altro notabile, che li principi debbono le cose di carico metter sopra d' altri, e le cose di grazia a sè medesimi."

[2] Wentworth to Laud, Dec. 1633, *Straf. Letters*, i. 171. The last phrase should be interpreted by the 'any just and honourable action' which precedes.

CHAP. X. 1632.

and he forgot that multitudes who had no means of enforcing his attention to their wishes might nevertheless cling with tenacious pertinacity to their old ways in spite of all that he could do to lead them in another direction.

In carrying out the enterprise upon which he had embarked, the King's name was to Wentworth a tower of strength. In England he had never scrupled to use it freely, as if the establishment of the royal authority was identical with the interests of the State. In Ireland it was far more identical with them than in England. Only in the King's name could Wentworth rebuke the elements of disorder and corruption, could teach idle and selfish officials to labour for the public good, could snatch public property out of the hand of the robber, and could contend against the abuses of ages from which the poor suffered oppression, and the rich and powerful reaped advantage.

Need of support for the army.

The first necessity of such a government was to possess an army upon which it could thoroughly depend. Yet so decided was the feeling in Ireland against a continuance of the contributions, that it seemed hopeless to obtain the money needed for the support of the soldiers without a more open breach of legality than Wentworth deemed expedient.

Feb. Means taken by Wentworth to gain his end.

His course was swiftly taken. Having received from the King the assurance that all business should pass through his hands, and that all offices should be conferred by himself,[1] as well as that no fresh expenditure should be incurred without his consent, he obtained a letter from Charles ordering the enforcement of the shilling-fines for recusancy as soon as the contribution ceased.[2] At the same time he despatched a secret

[1] Wentworth's Propositions, Feb. 22. *Straf. Letters*, i. 65.

[2] The King to the Lords Justices, Apr. 14, 1632. *Straf. Letters*, i. 71.

CHAP. X.

agent to the principal Catholics, with instructions to lay the blame of the measure upon the Earl of Cork. The new Lord Deputy, he was to tell them, was their best friend, and it would be well for them to avert the immediate danger by offering to continue the contribution for another year. The Catholics fell into the trap, and consented to do as Wentworth wished. The Protestants were too dependent upon the support of the Government to venture to resist.[1]

1632. April.

Wentworth had thus a full year in which to take his measures. For some unexplained reason he did not arrive in Ireland till the summer of 1633. On July 23 he entered Dublin. He soon found that he would have to create his instruments of government himself. "I find them in this place," he wrote, "a company of men the most intent upon their own ends that ever I met with, and so as those speed, they consider other things at a very great distance." The army was one 'rather in name than in deed, whether it was considered in numbers, in weapons, or in discipline.' He was almost frightened to see the work before him. "Yet," he encouraged himself by saying at the end, "you shall see I will not meanly desert the duties I owe to my master and myself. Howbeit, without the arm of his Majesty's counsel and support, it is impossible for me to go through with this work." Whatever support the King's name might give him he might freely enjoy. For counsel he must look to himself alone.[2]

1633. July 23. Wentworth in Dublin.

The Deputy's first work was to obtain a prolongation of the contribution for yet another year. By dexterously mingling hopes of an approaching Parliament with a declaration of his resolution to take the money by force if he could not have it in any other

The Contribution prolonged.

[1] Wentworth to Cottington, Oct. 1, 1632. *Straf. Letters*, i. 74.
[2] Wentworth to Portland, Aug. 3, 1633. *Ibid.* i. 96.

CHAP. X.

1633.

way, he obtained the assent first of the Council and then of the Catholic landowners.[1]

Wentworth's plans.

The ends which Wentworth proposed to himself were in the highest degree honourable to his character. He saw that the mass of the Irish population was ignorant and poverty-stricken, liable to be led astray by their priests and imposed upon by their lords. He wished to raise them to material prosperity, to make them laborious and contented. He wished, too, to give them knowledge and education, that they might be, as Englishmen were, loyal Protestant subjects of the King. Force and policy must combine to the desired end. The natives must be taught to feel their own weakness, and to acknowledge that the stern discipline imposed upon them was for their advantage. Trade and agriculture would flourish, and those who were benefited by the prosperity which followed would hardly look back with longing eyes to the days of wretchedness which had for ever passed away.

His confidence in the power of Government.

The sixteenth century had bequeathed to the seventeenth an overweening confidence in the power of Government. In England especially the sovereigns had done much to effect a change in the religion and in the social condition of the country, and they seemed to have done much more than they really did. It is easy for us, standing at a distance, to take account of the national craving for independence of foreign dictation which drove unwilling Catholics to support a Protestant Government. It was not easy then to trace out the influence of other causes for the success of Elizabeth than those which she drew from her own high spirit and enlightened judgment. So much had been done by governmental energy and by governmental adroit-

[1] Wentworth to Coke, Aug. 3. *Straf. Letters*, i. 97.

1633. Aug.

ness that every thing seemed possible to energy and adroitness. Just as Bacon under-estimated the mystery of material nature when he joyously declared himself to have taken all knowledge for his province, so did Wentworth under-estimate the mystery of human nature when he thought that a few years would enable him to transform ignorance into knowledge and distrust into fidelity. It was true that he was about to accomplish marvels; but he could not accomplish miracles. Nothing short of a miracle would suddenly transform the Irish Protestant Church into a true nursing-mother of the Celtic population in the midst of which it was encamped, or would suddenly transform the English colonists into beneficent diffusers of light and civilisation. The Irish only knew the foreign clergy as greedy collectors of tithes, and the foreign settlers as greedy encroachers upon land. Nor had Wentworth himself the qualities which enable men to conciliate opposition. Careless of popularity and disdaining the arts by which it is acquired, he would not condescend to explain his intentions even to those whom he most wished to benefit. He could not understand why it was that he was not loved. He left his actions to speak for themselves, and wondered that they were so often misinterpreted.

Nov. Discipline of the army.

The Deputy lost no time in bringing his little army to a complete state of efficiency. He knew that punctual pay was the first requisite for the restoration of discipline, and by establishing a strict system of payment he soon put an end to the loose system by which the soldier had been a terror to the civil population and a broken reed in the hands of authority. The officers were startled to find that the new Lord Deputy, who, unlike his predecessors, was General of the Army as well as Governor of the State, actually expected

CHAP. X.

1633.

them to attend to their duties.[1] His own troop of horse soon became a model for the rest of the army.

The Privy Council.

Wentworth's devouring zeal for the public service found little echo in the Council. The Chancellor, and Annesley, now Lord Mountnorris, gave him some support. But their support was at best lukewarm, and others looked askance upon the obtrusive Englishman who could not let matters alone which had been let alone so long. By degrees he gathered round him a few friends upon whom he could depend. He brought Wandesford from Yorkshire to be Master of the Rolls. He introduced Radcliffe, another Yorkshireman, into the Council. Loyal and devoted as they were, such men would serve as instruments for his policy. But they could not warn him against his errors.

Wentworth's relations with the King.

Wistfully he looked across the sea for support. The King was ready to stand by him, and to trust him with such powers as had never been entrusted to any former Deputy. Yet now and then Charles found it hard to keep the promise which he had given to leave all appointments in the Deputy's hands. Holland and the Queen were always pestering him with applications for unsuitable persons and unsuitable grants, and he shrunk from saying No. It cost Wentworth a hard struggle to defend from the greed of the English courtiers the revenue present and prospective upon which he counted. Even the army was tampered with at Whitehall, and even when Charles had no intention of unsettling Wentworth's arrangements in Ireland, he made no difficulty in leaving him to bear the odium of the refusal. In one of his letters he mentioned the names of some of the principal men in his Court who had asked for favour to be shewn to them in Ireland. "I recommend them all to you," he added, "heartily

[1] Wentworth to Cottington, Nov. 4. *Straf. Letters*, i. 144.

and earnestly, but so as may agree with the good of my service and no otherwise; yet so too as that I may have thanks; howsoever that, if there be anything to be denied, you may do it, and not I."[1] One case cost Wentworth a severe struggle. Falkland had died[2] before his successor crossed the sea, and had made it his dying request to the King to provide for his second son, Lorenzo Cary, in the Irish army. As long as Wentworth was by his side Charles properly refused to entrust a company of soldiers to so young a lad. Soon after Wentworth reached Dublin he discovered that the appointment had been made without consulting him. He explained that the company had been under the command of the late Lord Deputy, and had been left by him in the utmost disorder, and that young Cary was not likely to remedy the mischief. Besides, he had already appointed a real soldier to the post, and to force him to cancel the nomination would be evidence to the world that he was not trusted in England. His remonstrances were of no avail. Charles insisted that he had passed his word to Cary, though he assured Wentworth that nothing of the kind should occur again.[3]

Lorenzo Cary's case.

Till Wentworth arrived in Ireland little or nothing had been done to free the seas from pirates and from privateers who were pirates in all but name. On his passage across St. George's Channel, he had himself lost property worth 500*l.* He found trade at a standstill. A Dutch vessel had been rifled and set on fire within sight of Dublin Castle. His anger was especially roused by such a defiance of his authority. "The loss and misery of this," he wrote, "is not so great as the

Piracy repressed.

[1] The King to Wentworth, Oct. 26. *Straf. Letters*, i. 140.

[2] He fell from a ladder in the park at Theobald's and broke his leg. He died after the limb had been amputated. His eldest son Lucius had been dismissed from the command of a company by the Lord's Justices.

[3] *Straf. Letters*, i. 128, 138, 142, 207, 228.

CHAP. X. 1633.

scorn that such a picking villain as this should dare to do these insolences in the face of that State, and to pass away without control."[1]

The pirates were for the most part subjects of the King of Spain, and Wentworth was anxious to be on good terms with Spain. But he did not, for that reason, deal leniently with Spanish pirates. In a short time he had two ships of his own to guard the coast. To their command he appointed Sir Richard Plumleigh, a man after his own heart. Before long, piracy in the Irish seas was the exception and not the rule.

Trade encouraged.

Hand in hand with the suppression of piracy went the encouragement of trade. Wentworth's letters are full of evidence of the care with which he descended into the minutest details. The humble beginnings of the great flax culture of the north of Ireland owed their origin to him. He advanced money out of his own pocket towards the carrying out of a project for manufacturing iron ordnance in the country. He spent long hours over an attempt to open commercial intercourse with Spain, and was never in better spirits than when he fancied that his efforts were likely to be crowned with success. He was deeply annoyed at the short-sighted eagerness of the English Government to place restrictions on Irish exportation for the protection of English manufactures. His notions on the evil of customs duties were in advance of his generation. On one occasion he advocated the imposition of a payment upon brewers on the ground that it might be 'a step towards an excise, which although it be heathen Greek in England, yet certainly would be more beneficial to the Crown and less felt by the subject than where the impositions are laid upon the foreign vent of commodities inward and outward.'

[1] Wentworth to Portland, June 9. *Straf. Letters*, i. 89.

Exceptional treatment of cloth and salt.

Wentworth's recommendations that the rise of a cloth manufacture in Ireland should be discouraged, and that the sole right of importing salt should remain in the hands of the Government, stand in startling contrast with these enlightened suggestions. Wentworth intended them to stand in contrast. It was the indispensable condition of the reforms which he was meditating, that Ireland should be perfectly submissive to the English Government. There are those doubtless who, knowing how ill the English Government subsequently acquitted itself of its task, would argue that it would have been far better if Ireland had been left to its independence, and had worked out its own destinies in the midst of the strife and confusion which would have been the inevitable result. Those, however, who approve of Wentworth's end can hardly fairly cavil at the means. Till his healing measures had found acceptance, and as long as the Irish feeling was still one of distrust if not of exasperation, some way must be found of sustaining the English dominion by other means than by the loyal assent of the governed. If Ireland was to be held in subjection, it was better that she should submit because Irishmen could not keep meat for winter use without English salt, or could not cover their nakedness without English cloth, than because they were subjected to slaughter and rapine by an English army. Nor was the injury to any class of the population very great. There were no flourishing cloth manufactures in existence in Ireland to be ruined.[1] Their only chance of existence

[1] Wentworth argued that one reason for allowing wool to be exported was 'because they have no means here to manufacture it themselves, so as the commodity would be utterly lost to the growers unless this expedient be granted.' Wentworth to Coke, Jan. 31, 1634. *Straf. Letters*, i. 194. No doubt Wentworth also argued that the King's customs would benefit, but this is plainly not his primary reason.

CHAP. X. 1633.

in the future would be owing to the peace and order which Wentworth was doing his best to establish. If here and there some few Irishmen, who for some local reason might be profitably employed in making cloth, were forced to seek some other mode of livelihood, the grievance was not a great one in comparison with the sources of profit which Wentworth was opening up in every direction.[1] At all events, there is nothing in common between Wentworth's measures and the selfish legislation of the later English Parliaments. The wool manufacture was to be repressed, not that England might grow rich, but that Ireland might have peace.

State of the Church.

Wentworth knew better than to trust to material prosperity alone. He looked to the Church to supply the moral and intellectual force which was to wean the Irish from the creed which divided them from most of their fellow-subjects of English race. The condition of the Irish Church, when Wentworth landed, was indeed deplorable. Over a great part of the country the fabrics of the churches were in ruins, and the revenues by which the clergy should have been supported had either disappeared in the tumults of the sixteenth century, or had been filched by the neighbouring landowners. There were parts of Ireland in which half a dozen benefices did not produce enough to furnish a suit of clothes to the pluralist incumbent. In such a state of things large numbers of benefices were of necessity heaped upon the head of a single person, who was often a needy adventurer without a thought of fulfilling the duties of a position which furnished him with a miserable pittance, and it was seldom that suitors of this kind thought of asking for less than three

[1] Wentworth to Portland, Jan. 31, 1634. *Straf. Letters*, i. 190.

vicarages at a time.[1] The Bishops' courts were in the hands of rapacious lawyers who exasperated the Irish by their exactions. The peasant who counted it a sacrilege to bring his children for baptism to a heretic font, or to hear the words of consolation pronounced over the grave of those whom he loved by heretic lips, was heavily fined if he ventured to seek the services of a priest of his own communion, till Wentworth interfered to stop the abuse. The excellent Bedell was no sooner appointed to the Bishoprics of Kilmore and Ardagh than he protested against the folly of such tyranny. "I do thus account," he wrote to Laud, "that among all the impediments to the work of God amongst us, there is not any greater than the abuse of ecclesiastical jurisdiction. The demonstration thereof is plain. The people pierce not into the inward and true reasons of things: they are sensible in the purse. Wherefore, let us preach never so piously ourselves, so long as the officers in our courts do prey upon the people, they account us no better than publicans, and so much the more deservedly, because we are called spiritual men and reformed Christians." Bedell's own chancellor, one Alan Cook, appointed by his predecessor, and irremovable by himself, was one of the worst of these harpies. "Among the Irish," he said, "he hath gotten the name of Pouke"—the rude original of Shakspere's gamesome Puck—"and indeed they fear him like the fiend of hell. To his austerity the abandoning of the country by above a thousand of the inhabitants the last year was more imputed than to the hardness of the times."[2]

Bedell at Kilmore.

Complains of the Church courts;

No less pertinent was Bedell's complaint of the ignorance of the Irish language which was almost uni-

and of ignorance of the Irish language.

[1] Bramhall to Laud, Aug. 10, 1633. *S. P. Ireland.*

[2] Bedell to Laud, Aug. 7, 1630. *Laud's Works*, vi. 280.

CHAP. X. 1633.

versal amongst the clergy. How, he asked, could a minister discharge his duty who could not speak to his flock in their own tongue. It was no wonder that the Catholic priests, who were at no such disadvantage, gained the hearts of the people and were superior even in numbers to the Protestant clergy.[1]

His life in his diocese.

If any man could have gained the confidence of Irishmen, it would have been Bedell. To the pluralists he spoke by example. He resigned the See of Ardagh that he might not hold a second bishopric. At great expense of time and money he carried on a suit to get rid of his oppressive chancellor, and when he was unsuccessful in this he never failed to appear in person in his court, in the hope that he might shame him into better behaviour by his presence. He worked hard to acquire the Irish language, and as livings in his gift fell vacant, he refused to appoint any who had not followed his example. Prayers were read in Irish in his cathedral, and he superintended the translation of the Old Testament, that of the New Testament alone having been hitherto completed.

Its results.

Bedell's zeal was not without its results. Irish converts gathered round him, and even Irishmen whom he was unable to convert loved and reverenced the English stranger who had given them his heart. But it was not in the nature of things that there should be many Bedells, and there was no hope of gaining the Irish people on any other condition.

Wentworth on Church disorder.

What Wentworth could do, he did. He sternly repressed the persecuting zeal of the officials. It was useless, he said, to fine the Catholics for not attending church as long as there were no churches to go to.[2] He had no difficulty in tracing the causes of the evil

[1] Bedell to Usher, Sept. 18, 1630. Burnet's *Life of Bedell*, 52.

[2] Wentworth to Laud, Dec. 1633. *Straf. Letters*, i. 171.

to 'an unlearned clergy, which have not so much as the outward form of churchmen to cover themselves with, nor their persons any way reverenced or protected; the churches unbuilt; the parsonage and vicarage houses utterly ruined; the people untaught, through the non-residency of the clergy, occasioned by the unlimited shameful numbers of spiritual promotions with cure of souls, which they hold by commendams; the rites and ceremonies of the Church run over without all decency of habit, order, or gravity, in the course of their service; the possessions of the Church to a great proportion in lay hands; the Bishops aliening their very principal houses and demesnes to their children, to strangers,[1] farming out their jurisdiction to mean and unworthy persons; the Popish titulars exercising the whilst a foreign jurisdiction much greater than theirs; the schools which might be a means to season the youth in virtue and religion either ill-provided, ill-governed for the most part, or, which is worse, applied sometimes underhand to the maintenance of Popish schoolmasters; lands given to these charitable uses, and that in a bountiful proportion, especially by King James of ever-blessed memory, dissipated, leased forth for little or nothing, concealed, contrary to all conscience and the excellent purposes of the founder; the College here, which should be the seminary of arts and civility in the elder sort, extremely out of order, partly by means of their statutes, which must be amended, and partly under the government of a weak provost; all the monies raised for charitable uses converted to private benefices; many patronages unjustly and by practice gotten from the Crown."[2]

[1] The hurried omission of the conjunction is quite in Wentworth's manner. It frequently occurs in his speech at York.

[2] Wentworth to Laud, Jan. 31, 1634. *Straf. Letters*, i. 187.

CHAP. X. 1633.

The Earl of Cork.

One of the chief offenders amongst the laity was Richard Boyle, the great Earl of Cork, as he was styled, who, as one of the Lords Justices after Falkland's departure, had been distinguished by his Protestant zeal. He had come over to Ireland as an adventurer in 1588 with 27*l.* in his pocket. He began his operations by buying up for a trifle valuable claims which the owners did not know how to turn to account. He contrived to gain the favour of men in authority, and, unless he is much maligned, he used his opportunities unscrupulously. Before the end of the century he held more land than any one else in Ireland. The wealth thus acquired prospered in his hands. His estates were well cultivated. Buildings of all kinds, houses, churches, and schools, rose upon them.[1] But if he spread improvement around him, he spread mischief as well; and Wentworth was able to charge him with appropriating to himself, for a paltry rent of 20*l.*, the whole of the revenues of the Bishopric of Lismore—which brought him in 1,000*l.* a year. Another sum of 100*l.* a year, which should have been applied to the repairs of the cathedral, went to swell the Earl's income, and the cathedral was in consequence falling into ruins. A suit was at once commenced against him in the Castle Chamber, a court answering to the English Star Chamber, and in the end he was compelled to disgorge thus much of his ill-gotten wealth, and to submit to a heavy fine.

Church property taken from him.

Another dispute between the Deputy and the Earl was of a more personal character. Lady Cork had lately died, and the widower had erected a gorgeous tomb to her memory in St. Patrick's. The monument

Lady Cork's tomb.

[1] The character of the Earl is dissected, with quotations from original documents, in Wright's *History of Ireland*, i. 618. State of the Bishopric, May 3, 1634. *S. P. Ireland.*

was placed under the chancel arch, and part of it occupied the space on which the high altar had formerly stood. As soon as Laud heard of it, he protested that this was no place for a tomb. Charles was at first inclined to pass the matter over, but he finally decided as Laud wished him. The Lord Deputy, nothing loath, ordered the tomb to be pulled down, and to be re-erected in another part of the church.

Church ceremonies.

Wentworth's ceremonialism did not go very deep. He was not likely to agitate the Irish Church as the English Church was being agitated by Laud. But he was himself fond of outward decency and order, and he believed that the neglect of formalities would stand in the way of the conversion of the Catholic population. When he arrived in Ireland he found that one of the Dublin churches had served his predecessor for a stable, that a second had been converted into a dwelling-house, and that the choir of a third was used as a tennis-court. The vaults underneath Christ Church were let out as ale-houses and tobacco-shops. In the choir above, the Communion-table, standing in the midst of the congregation, had become an ordinary seat for maids and apprentices. Wentworth ordered the Communion-table to be placed at the East end, as in English cathedrals.[1] He put a stop to the practice of walking about in the aisles and chattering during service, and shut up the tobacco-shops below. Further than this he did not go. He was not so ignorant of the relative importance of things as to impose the duty of changing the position of the Communion-table upon the country clergy, at

[1] Sir James Ware in his Diary speaks of this as having been done on June 21, before Wentworth's arrival. Bramhall, however, in his letter of Aug. 10 (*Works*, i. lxxix), speaks of the abuse as still existing. Perhaps the order was given but not carried out till Wentworth came.

CHAP. X. 1633.

least till the Irish clergy were in a different state from that in which he found them. The first thing to be done was to regain the lost property of the Church, so that a single Irish benefice might once more be worth accepting. The next thing would be to induce able and zealous ministers to transfer themselves to Ireland. When that was accomplished, everything else which Wentworth desired might be expected to follow. Wentworth did all that lay in his power to carry these promises into execution. From the King he obtained a grant to the clergy of all impropriations in possession of the Crown, and efforts, which were successful in some instances, were made to induce the laity in like case to follow the Royal example.

1634. Preparations for a Parliament.

For Wentworth the difficulties of the Irish Church were only part of the difficulties of bringing the Irish nation under discipline and order. For some time he had been in correspondence with the King on the subject of the coming Parliament. That Parliament was in no sense representative of the Irish nation. In the House of Lords the Bishops, reinforced by Englishmen who had received Irish peerages, could give a majority to the Government; and the House of Commons had been so arranged in the preceding reign as deliberately to falsify the expression of Irish opinion. Seats had been given to the merest hamlets, provided that they were likely to return Englishmen and Protestants. The session of 1613 had been disgraced by an open fight between the two factions. Such a body could never serve any of the purposes for which Parliaments are designed. Wentworth liked it the better for that. He knew that the two parties were nearly equal, and that there was a slight majority on the side of the Protestants, and he believed that by a skilful mixture of firmness and blandishment he might play

the two parties off against one another, till he had gained from them the semblance of a national sanction to the decrees which emanated from his own will.

His plan for managing the Parliament.

It was an immense advantage to him that the Irish Parliament was debarred by Poyning's law from taking any Bill into consideration which had not previously been submitted to the English Privy Council. He was thus freed from such claims as had been put forward by the English House of Commons 'to a liberty to offer anything in their own time and order.' His immediate object was to gain a grant of subsidies sufficient to support the army for a few years without the contributions. That breathing time was all he needed. He never doubted that, when it was past, the King's revenue would, through his efforts, have become equal to the expenditure. He now proposed that there should be two sessions. In the first, supply was to be granted unconditionally. In the second, such Bills for the benefit of the subject as he thought it advisable to pass should be converted into law.

His resolution about the Graces.

The Bills which Wentworth thought it advisable to pass did not include the whole of the Graces. More especially he intended to omit the confirmation of all estates with sixty years' title, and the concession to the landowners of Connaught of those patents which, through no fault of their own, they had neglected to enrol. As far as Connaught was concerned, he had a plan of settlement very different from the confirmation of the rights of the existing landowners. In the rest of Ireland he had no wish to deal hardly with those whose titles were defective. But he would give them security, not by a sweeping measure applicable to the whole country, but by separate bargains in which each individual proprietor would have to compound for an indefeasible title by the payment of a moderate

CHAP. X. 1634.

rent to the Crown. Before he left England he had obtained from the King the appointment of a body of Commissioners authorised to conclude bargains of this kind,[1] and he now proposed that, together with the Subsidy Act, a Bill should be brought in and passed, even in the first session, giving a Parliamentary confirmation to such arrangements as these Commissioners might see fit to conclude.

Object which he had in view.

In rejecting these two Graces Wentworth undoubtedly believed that he was doing the best for Ireland as well as for the King. It was in his eyes the main condition of good government in the future that the Irish should be held in subjection till the time came when they could be raised to a higher stage of civilisation by the educative influence of a reformed clergy and by the enticements of material comfort. The scheme itself was hopeless from the beginning. Its very conception could only have proceeded from one who was ignorant, as most, if not all of his contemporaries of English blood were ignorant, of the persistency with which a race clings to its ancestral habits and modes of thought. In fact, the very reason which made Wentworth most desirous of effecting the change would be accepted by a modern statesman as a sufficient motive for rejecting it without a moment's hesitation. It was because the condition of the Irish stood in need of so much improvement that it was cruel as well as unwise to attempt to destroy their self-respect by hurrying them forcibly over the stages of progress which separated them from their English conquerors. Even if Wentworth's policy had been wiser than it was, it would have been heavily weighted from the beginning with the broken word of the King.

[1] Commission, Feb. 11, 1632. Lascelles, *Liber Munerum Hiberniæ*, i. 135.

Charles had expressly promised that the next Parliament should be used to confirm the landowners' titles as well in Connaught as in the rest of Ireland. The course taken for the confirmation in individual cases, might perhaps be regarded as a performance of that promise with a modification imposed by political necessity. The course taken with regard to Connaught was a direct breach of the engagement which had been given.

July 14. Meeting of Parliament.

On July 14 Parliament met. As Wentworth had hoped, the Protestants, many of whom were official dependents on the Government, were in a small majority. He had instructions to dissolve at once in case of an unexpected refusal of supplies, and to levy the revenue he needed by his own authority. Nothing was further from his intentions than to allow any freedom of action to any one but himself. He heard with indignation that the Catholic priests had been threatening their flocks with excommunication if they gave their votes to a Protestant. Such a course, he declared, would lead to the division of the country into a Papist faction and a Protestant faction, a result which, as he naïvely added, 'is to be avoided as much as may be, unless our numbers were the greater.' A sheriff, who 'carried himself mutinously,' as Wentworth expressed it, at the Dublin election, was fined in the Castle Chamber, and deprived of his office. A successor was appointed, and two Protestant members were returned.[1]

July 15. Wentworth's speech.

In the speech with which the Deputy opened the session, he took care to address his hearers as he wished them to be, not as they really were. The King, he explained, had done, and was doing all that could be done for the benefit of Ireland. In order that his beneficent rule might continue, the army must

[1] Wentworth to Coke, June 24. *Straf. Letters*, i. 269.

CHAP. X.

1634. July 15.

be maintained to give 'comfort and encouragement to quiet minds in their honest occasions, containing the licentious spirits within the modest bounds of sobriety.' For this purpose the debts of the Crown, amounting to 75,000*l.*, must be paid off, and the yearly deficit of 20,000*l.* filled up. The remedy must be permanent. It was beneath the dignity of his master to 'come at every year's end, with his hat in his hand, to entreat' them to be pleased to preserve themselves. Then followed words of warning. "Let me advise you," said Wentworth, with keen recollections of the events of 1629, "suffer no poor suspicions or jealousies to vitiate your judgments, much rather become you wise by others' harms. You cannot be ignorant of the misfortunes these meetings have run of late years in England; strike not therefore upon the same rock of distrust which hath so often shivered them. For whatever other accident this mischief may be assigned unto, there was nothing else that brought it upon us but the King's just standing to have the honour of our trust, and our ill-grounded obstinate fears that would not be secured. This was that spirit of the air that walked in darkness, abusing both, whereon if once one beam of light and truth had happily reflected, it had passed over as clouds without rain, and left the King far better contented with his people and them much more happy; albeit as they are—thanks to God and his Majesty—the happiest of the whole world." Finally, there must be no divisions among them, between Catholic and Protestant, English and Irish. "Above all, divide not between the interests of the King and his people, as if there were one being of the King and another being of his people. This is the most mischievous principle that can be laid in reason of State, and that which, if you watch not very well,

may the easiliest mislead you. For you might as well tell me an head might live without a body, or a body without a head, as that it is possible for a king to be rich and happy without his people be so likewise, or that a people can be rich and happy without the king be so also. Most certain it is that their well-being is individually one and the same, their interests woven up together with so tender and close threads as cannot be pulled asunder without a rent in the Commonwealth."[1]

Was Wentworth consistent with himself?

Some of those who listened to these words would doubtless look back over 1629 to 1628, and would ask whether the speaker was the same man as he who had stood up in the English Parliament to declare that unless they were secured in their liberties they could not give. It was not Wentworth's habit to defend himself. But there can be little doubt that he would have declared his conduct to be perfectly consistent. There was in his eyes all the difference in the world between England under Buckingham and Ireland under Wentworth. In the one case the head was at fault. In the other case the body was incapable of appreciating the wisdom which flowed from the head.

July 17. Parties in the House.

Wentworth's government had all the short-lived merits and the grave defects of despotism. The slightest attempt to convert constitutional fiction into a reality met with his most strenuous resistance. The first sitting of the Commons revealed the strength of parties. The Catholics moved to purge the House, in plain words, to exclude many of the Protestants on

[1] Speech, July 15. *Straf. Letters*, i. 286. As this speech was an extempore one, it is more likely to reveal Wentworth's real nature. How permanent his ideas were will be seen by comparing it with the speech at York, in 1628. Even the quotation, '*Qui majore ubertate gratiam quietes referre solent*,' reappears.

CHAP. X. 1634. July 17. the ground of non-residence in the constituencies which had elected them. The question was referred to a committee. But its members were nominated from the Protestant side by a majority of eight.

July 18. Six subsidies granted. Wentworth struck the iron whilst it was hot. The next morning, his friend Wandesford moved for six subsidies, a grant far larger than the Deputy had, a short while before, thought it possible to obtain. Before the sitting was at an end they were voted without any difficulty whatever.

Then, when it was too late, the Commons combined to ask that the Graces might be confirmed. They were told that so many as were good for them should be passed into law in the next session. For the present they must content themselves with a Bill for giving a Parliamentary title to the awards of the Commissioners for defective titles. They at once submitted, and the session came to an end.

Aug. 2. End of session.

Aug. 21. Instructions to the Judges. Wentworth ordered the Judges at the Summer Assizes to magnify the King's gracious favour in giving his assent to this Bill, as well as to assure the people of the intention of the Government to proceed to great reforms in the next session.[1]

Sept. 20. Wentworth asks for an Earldom. Isolated as he knew himself to be in Ireland, Wentworth turned to the King for some token of his satisfaction which might give assurance to all men that in resisting the Deputy they would have to reckon with the King. In all humility he asked for an Earldom. Charles, who liked to be the originator of his own favours, refused to grant the request.[2] Wentworth had

[1] Wentworth to Coke, Aug. 18; Wentworth to the Judges, Aug. 21. *Straf. Letters*, i. 276, 292.

[2] Wentworth to the King, Sept. 20. The King to Wentworth, Oct. 23. *Ibid.* i. 301, 331.

CHAP. X.

1634.

to meet Parliament again without any mark of his sovereign's approbation.

The new session was opened on November 4. On the 27th Wentworth announced that the whole of the Graces would not be the subject of legislation. In a moment the Catholic members of the Lower House burst into insurrection. Through the accidental absence of a few of their opponents, they found themselves in command of a majority. They declared that if the King's promise was to be thus scandalously broken, they would pass no bills. One vote after another went against the Government. Sir Piers Crosby, a member of the Privy Council, who had commanded an Irish regiment at Rhé, put himself at the head of the movement, and urged the rejection of a Bill for the punishment of accessaries to murder.

Nov. 4. The second session.

A Catholic majority.

Wentworth was not to be thus overborne. He summoned a meeting of the Privy Council, and obtained their assent to the sequestration of Crosby from the board till the King's pleasure could be known. At the same time he made urgent instances to the absent Protestant members to return to their duty. In his eyes, whatever he might have said in his opening speech about the maintenance of harmony between Catholic and Protestant, it was still a question of the gradual and irresistible supersession of the religion of the Irish by the religion of the English. "It may seem strange," he wrote, in the account of the affair which he sent home, "that this people should be so obstinately set against their own good, and yet the reason is plain; for the Friars and Jesuits, fearing that these laws would conform them here to the manners of England, and in time be a means to lead them on to a conformity in religion and faith also, they catholicly oppose and fence up every path leading to so good a purpose; and,

Wentworth recovers a majority.

CHAP. X. 1634.

indeed, I see plainly that, so long as this kingdom continues Popish, they are not a people for the Crown of England to be confident of; whereas, if they were not still distempered by the infusion of these Friars and Jesuits, I am of belief they would be as good and loyal to their King as any other subjects."

Dec. 14. End of the second session.

The Protestant members responded to Wentworth's appeal. They returned to their posts, and Bill after Bill was carried through the House. On December 14 the second session came to an end, to Wentworth's complete satisfaction.[1]

1635. Two more sessions.

Two more short sessions were needed in the course of the following year to complete the work of legislation. No such series of wise and beneficent laws had ever been enacted in Ireland. Wentworth would have been willing to retain so useful a Parliament for future work. Charles, however, who held that Parliaments, being 'of the nature of cats, grew curst by age,' commanded a dissolution.

1634. Dec. The Irish Convocation.

With the aid of a Protestant majority which represented but a small minority of the population of Ireland, Wentworth had obtained the semblance of a national approval to those changes in the law which, as he hoped, would lead to changes greater still. His care was unceasing for the improvement of the material position of the clergy, in the expectation that they would thereby be the better fitted for the work which he expected from them. But he was not content with improving their material position. He thought that it would be necessary, if they were ever to make converts of the Irish, to modify their teaching so as to render it more acceptable to those to whom they were sent. As the very fact that in Ireland a Protestant minority had been thrown in the midst of a Roman

[1] Wentworth to Coke, Dec. 16. *Straf. Letters*, i. 345.

CHAP. X. 1634. Dec.

Catholic population, had made that minority, wherever it had retained any consciousness of religion at all, more defiantly and obtrusively Protestant than in countries where Protestantism had no danger to apprehend, the Irish articles drawn up in 1615, under Usher's guidance, had adopted the Calvinistic doctrine in its most distinctive form. Wentworth determined that Convocation, without formally repealing these articles, should now adopt the articles of the Church of England, so as practically to supersede those which he found in existence.

Wentworth demands its acceptance of the English articles.

To this high-handed attempt to deal with their belief, the clergy in the Lower House of Convocation naturally objected. They appointed a Committee which proceeded to revise the Canons of the Church of England, and which directed that the Irish articles should be received under pain of excommunication. The Deputy at once interfered. Sending for Dean Andrews, the Chairman of the Committee, he told him that he was possessed by the spirit of Ananias, and that 'it was not for a few petty clerks to presume to make articles of faith.' With his own hand he drew up a Canon prescribing the acceptance of the English articles, and ordered that it should be put to the vote. Wentworth's Canon was adopted with only two dissentient voices.[1] The other Canons of the Church of England were amended by Bramhall, perhaps under Usher's direction, and were finally adopted.[2] As far as Dean Andrews was concerned Wentworth's contempt was amply justified. In order to punish him, he obtained from the King his promotion to the Bishopric of Ferns, a See so poor as to afford to its new Bishop

Opposition of the Lower House.

1635. Penal promotion of Andrews.

[1] Wentworth to Laud, Dec. 16. *Straf. Letters.* Bramhall to Laud, Dec. 20. *S. P. Ireland.* The latter shows that the point was mooted in the Upper House, which Dr. Elrington doubted. *Usher's Works*, ii. 74.

[2] Elrington's Life of Usher. *Usher's Works*, i. 178.

CHAP. X. 1635.

a smaller income than that which he had received as Dean of Limerick. So delighted was Andrews with the promotion that he boasted of it openly in the pulpit before he learned the cost of it. "How long," he said, in a sermon at which Wentworth was present, "how long have we heretofore expected preferment. But now, God be praised, we have it." Wentworth had much difficulty in keeping his countenance. "He is a good child," he wrote, in giving an account of the scene, "and kisseth the rod."[1]

The Deputy and the Church.

The condition of the Irish Church, in fact, was such as to invite the interference of the Deputy. It was the creature of the State as no other Church in the world was. If the protecting hand of the English Government were removed, it would fall of itself before the combined assaults of the native Catholics and of the rapacious landowners who extended to it a nominal deference. The habit of subservience to the Government was a necessity of the situation. It shewed itself not merely in time-servers like Andrews, but in men as pious and honourable as Archbishop Usher. Wentworth professed a good-humoured but somewhat contemptuous toleration for an Archbishop who had done so little to help him in the emergency, mingled with a sincere respect for his learning and character. In fact Usher could hardly have acted otherwise than he did. He was himself a believer in the Calvinistic doctrine of predestination, and he can hardly have regarded the setting aside of the Irish articles with satisfaction. But he had a keen sense of the evils which affected the clergy, and he justly regarded those evils as more destructive than slackness to advocate even a doctrine which he believed to be true. He therefore warmly supported Wentworth and Laud in

[1] Wentworth to Laud, March 10. *Straf. Letters*, i. 378.

their efforts for the moral improvement of the Irish clergy without approving of their doctrinal tendencies.

Presbyterianism in Ulster.

The rejection of the Irish articles was followed by a fierce attempt to repress the Calvinistic Presbyterianism of the Scottish colonists in Ulster. Bramhall, the new Bishop of Derry, was a man after Laud's own heart. He announced that he would soon put an end to such practices in his diocese. "It would trouble a man," he wrote, contemptuously, "to find twelve Common Prayer-books in all their churches, and those only not cast behind the altar because they have none; but in place of it a table twelve yards long, where they sit and receive the sacrament like good fellows."[1]

Hopelessness of Wentworth's task.

Zeal, unless it worked in his own grooves, was never intelligible to Wentworth. No dream of the wildest enthusiast was ever more shadowy than this vision of the practical man of a religion sober and energetic, without doctrinal exaggerations as without the bitterness of party spirit by which they are attended. He might as well have attempted to yoke the zebra to his chariot as to bring the Scottish and English settlers of the North and the impulsive Celts of the rest of Ireland under the same decorous discipline of the English Church. Yet even here it was Wentworth's perception of facts rather than his judgment which was at fault. Calvinistic Presbyterianism with him was simply the work of a few factious agitators. Irish Catholicism was simply the work of Friars and Jesuits. He had no conception that these forms of belief were but the natural outcome of the life of those by whom they were held, and that in seeking to eradicate those beliefs from the hearts of men he was embarked on an enterprise to which even his powers were ludicrously

[1] Bramhall to Laud, Dec. 20, 1634. *S. P. Ireland.*

CHAP. X. 1635.

inadequate. He might browbeat Parliaments and Convocations, because those Parliaments and Convocations were but shadowy emanations from an alien Government. He could neither create nor destroy the religion of a people. The Calvinistic preacher and the Jesuit missionary alike had a hold on the spiritual side of man's complex being. They appealed to his hopes of heaven, his craving for a guidance upon earth which he could follow without abandoning his own habits of belief. What had Wentworth to set in opposition to that?

The proposed plantations.

Closely connected with Wentworth's eagerness to convert the Irish to Protestantism was his eagerness to introduce fresh English colonists in order to tighten his grasp upon the native population. In neither case was he without a desire for improving the condition of the Irish themselves. He believed in his heart that they would be the better for the influence of the English settlers, just as he believed in his heart that they would be the better for the influence of the English form of religion. The desire of strengthening the King's authority and the desire of elevating the condition of his subjects were inseparably connected in his mind.

Paper of advice on the Ormond plantation.

How this matter of colonisation looked in the eyes of Englishmen may be learned from a paper of advice which related to the projected plantation of Ormond. "If the natives of those counties," we are told, "may be estated in convenient quantities for their livelyhood by good grants from the King, they will be more ready and assured servants to the Crown and will build and plant; whereas now, having no title and much of land divided into very petty tenancies, the people have no comfort to build or settle, neither are able to serve as becometh, nor to suppress the insolent idlers. If these countries were so governed by English, there would be

an absolute interposition between the Irish of Connaught and the Irish of Leinster, both which are most wavering and doubtful of all other parts of the kingdom, whereas now, by the opportunity of the freedom they there enjoy to intercourse, the peace is daily disturbed. These were the countries that gave Tyrone passage and most relief when he brought his army into Munster to join the invading Spaniards; so as the putting of these into right hands and governance is an act of greater consequence than is easily foreseen. Because there is no English in that country, there is not so much as the face of a church or any resident ministers. By this plantation the churches will be endowed, congregations settled, the religion in some measure professed, and the service of God induced."

Three towns, the writer added, should be built and settled with English burgesses, whilst the petty Irish might be established as copyholders or tenants for life of small proportions, to dwell about the towns, so that their children might be brought up in trade. Such of the natives as were 'possessed of any lands by virtue or pretence of any late patents' were 'to be favourably used.'[1]

Paper on Connaught.

Another writer treated of the counties of Roscommon, Sligo, and Mayo in a more trenchant style. "The remote parts of these counties which border upon the sea," he says, "and most of the inland counties, are inhabited with a poor indigent people so barbarous in all respects as the Indians or Moors. This plantation will bring in amongst them some undertakers of the British nation which sometime will beget the natives to more civility and conformity, as in other places they have done where the plantations have run. The inferior

[1] Advice to plant a portion on the Shannon. *S. P. Ireland.* Bundle 282.

CHAP. X. 1635.

natives do all of them make their dependency upon the Irish lords, and do now pay unto them either public or private chiefries. There is not any one thing permitted by the State which draws with it a more pernicious inconvenience to the Crown and commonwealth than this very particular, for it is the condition of the Irish lords and gentry to esteem all those who pay them rent and chiefries to be their people, their followers, their very slaves; and the nature of the inferior Irish natives is to conceive and account his lord to whom he pays rent or chiefry to be his only patron and protector, as good and loyal subjects conceive of their king, to whom they are so devoted as they will at any time go into open action of rebellion at the will and pleasure of their lords."

This evil, the writer proceeded to argue, would be remedied by the proposed plantation. "This plantation will bring in freeholders of the British nation into all the counties, who will be able to serve his Majesty and the commonwealth at all public services faithfully, equally, and indifferently, agreeable to the truth of their evidence, whereas at this present all business and matters are swayed and carried agreeable to the will and disposition of one or two men in a county, so that neither his Majesty nor any other subject can have any indifferency upon any inquiry or trial, to the great detriment and disservice of his Majesty, and the unspeakable loss and prejudice of the subject. This plantation will double his Majesty's certain revenue in what now is paid and whatsoever it will do more. This plantation will intermix the British nation with the natives, which will bring in civility by divers ways and means; it will procure the natives to become laborious, who are apt to labour by the good example of others, when they may have hire and reward for the same; but the Irish

lords and gentry do never give the poor people anything for their labour, which doth so dispose them to idleness. It will bring in trade and commerce, the English language, apparel, customs, and manners. It will beget inclosures, and laying their land into severals which now lies as in common. This will be a great means to banish and suppress night thieves and stealers of cattle. It will beget good, perfect, and plenty of guides in the Irish countries of the British nation, the want whereof, in the late rebellions, were a great means of the long continuance of the wars. . . . It will so intermix the British nation with the natives as the natives shall not be able hereafter to contrive any rebellions as heretofore they have done, but that the State will have timely advertisement of the same to prevent or meet with the inconveniency. . . It will improve generally the lands of the whole province, and by the well and orderly laying out of the natives' lands round and entire together, the loss of the fourth part will be equally recompensed, and will not be unwelcome to most of the natives who are men of any judgment and sensible of reason, and have taken special notice of the convenient and orderly living of the freeholders in those countries where the plantations have run already."[1]

English view of Irish affairs.

The view taken in these papers is the same as that taken by every Englishman who had visited Ireland. Accustomed to a life passed in busy activity, and thrown upon his own resources to provide for himself and his family under the discipline of enforced submission to the authority of a Government in the lower functions of which he himself shared, and against the encroachment of which he was to a great extent protected by the law, the Englishman was unable to under-

[1] The benefits which will arise from the plantation. *S. P. Ireland.* Bundle 281.

CHAP. X. 1635.

stand that even this rude poverty-stricken Irish life might have its charms for men whose training had been different from his own. He could not comprehend how what seemed to him to be a slavish submission to the caprices of the chief might find its compensation in the kindly intercourse of good-fellowship which sprung up from the acknowledgment of a common kinship between the chief and his tribe; or how the lack of the sentiment of individual ownership of land might be made up by the sense of joint ownership in the whole of the territory of the tribe. For even the most learned Englishmen in those days had never thought of studying the ways and habits of less civilised nations, except as objects of amusement or derision. The lesson that it is only with tottering steps and slow progress that a people can walk forward on the path of civilisation had yet to be revealed.

State of the English settlers.

In the mistake of under-estimating the amount of resistance which the Irish were likely to offer to his well-meant efforts to drag them forward for their good, as a foolish nurse drags forward the child committed to her care, Wentworth was no wiser than the mass of his countrymen. Nor did he take into his calculation the repellent effect of the sudden introduction amongst the native population of a number of rough Englishmen, greedy of gain and contemptuously disregardful of the feelings of a people whom they looked upon as barbarous, and whose very language they were unable to comprehend.

Jan. The Londonderry settlement.

Even in Ulster, after more than twenty years' settlement, colonisation had not smoothed away all difficulties. In January and February the municipal authorities of the City of London, to the principal Companies of which the county of Londonderry had been granted, appeared before the Star Chamber to answer

CHAP. X.

1635.

to a charge of having broken their charter. That charter had imposed conditions upon them which they had undoubtedly failed to fulfil. They had been expected to build more houses than they had built, to send over more English settlers than they had sent, and, above all, to exclude the Irish natives from holding land except in certain specified districts. It appeared that in many parts of the county the natives outnumbered the colonists in a very large proportion, that instead of being converted to Protestantism, these natives remained constant to their own religion, and supported a large number of priests who confirmed them in their resolution to set the English clergy at defiance. The Star Chamber held that the charge was fully proved, and condemned the City to a fine of 70,000*l.*, and to the forfeiture of the land. It is not unlikely that a body of London citizens may have been somewhat remiss in directing the arrangements of a settlement in the north of Ireland. But it was hard measure to hold them responsible for the failure. It was not their fault if English colonists would not emigrate in such numbers as was desirable; and if the new proprietors could not find Englishmen to rent their farms, it was more than was to be expected from human nature to ask them to keep their lands out of cultivation rather than let them to the Irish. Nor was the temptation to admit Irish tenants, even when an English applicant presented himself, easy to withstand. An Irishman, as it was stated upon evidence at the trial, was always ready to offer a larger sum than an Englishman would consent to pay. It is possible that this unexpected result may have been owing in part to the strong desire of the natives to remain attached to the soil which they regarded their own. But another reason suggests itself, which goes far to explain the

Feb. Forfeiture of the London charter.

Feb. Condition of the Ulster settlement.

CHAP. X. 1635. Feb.

difficulties of the task which the Deputy had undertaken. The Irish of Ulster fully believed that the day was at hand when the O'Neal and the O'Donell would return, and when their dispossessed tribesmen would enter into the possession of the well-tilled lands and the newly erected habitations of the English intruders. If this belief were shared by the settlers, it is easy to understand that few would be ready to pay a large rent for a farm in a new and unknown land in which he ran a good chance of having his throat cut one morning by his Celtic neighbours. On the other hand, an Irishman would be inclined to offer something more than the fair market price in order that he might be in actual possession of a portion of the soil when the day of liberation came.[1]

It would be some time before the citizens of London learned whether the fine imposed upon them was to be exacted. In the end, after the expiration of four years, they received a pardon on surrendering their Irish estates, and payment of 12,000*l.*, which Charles wanted to give as a present to the Queen. Wentworth, who seems to have taken no very great interest in the investigation conducted in England, was nevertheless ready, after sentence had been given, to turn the occasion to the best profit for the King. The lesson of the Ulster difficulties, however, had no effect in causing him any hesitation in his resolution to treat Connaught as Ulster had been treated by James. In July he proceeded westward with the intention of finding a title for the King—in other words, of persuading or compelling the Connaught juries to acknowledge that the soil of the province belonged to the Crown for some reason intelligible only to the English lawyers, in spite

July. Wentworth prepares to visit Connaught.

[1] Notes of the proceedings in the Star Chamber, Jan. and Feb. 1635. *S. P. Ireland.*

of the solemn promise of the King that he would take no advantage of any such technicality.

1635. Selects the juries.

Wentworth had no conception that it was possible for the Irish to resist excepting from interest or spite. He took his measures accordingly. He did not, indeed, as he might have done if his conscience had convicted him of wrongdoing, order the selection of juries composed of the dependents of the Government. He ordered, on the contrary, that 'gentlemen of the best estates and understanding should be returned.' If the verdict of such persons was as he wished it to be, it would carry weight with it amongst their neighbours. If it was otherwise, they would be wealthy enough to 'answer the King a good round sum in the Castle Chamber.'

July 9. Wentworth in Roscommon.

The Deputy's first attempt was made in Roscommon. He sent for half-a-dozen of the principal gentry, spoke them fairly, and assured them that though the King had a clear and undoubted title to the whole of Connaught, he was ready to hear any argument which might be urged to bar his rights. The next day, after the case had been argued by the lawyers, Wentworth addressed the jury. He told them that his Majesty had been moved in the first place by his desire to make them 'a civil and rich people, which' could 'not by any so sure and ready means be attained as by a plantation. . . . Yet that should be so done as not to take anything from them that was justly theirs, but in truth to bestow amongst them a good part of that which was his own.' He had no need to ask them for a verdict at all. The King's right was so plain that a simple order of the Court of Exchequer would have been sufficient to give him all he claimed. His Majesty was, however, graciously pleased to take his people along with him, and to give them a part of the honour and profit

July 10.

CHAP. X.

1635. July 10. of so glorious a work. Wentworth concluded with the strongest possible hint, that if they ventured to refuse to acknowledge the King's title, they would do so at their peril.

He succeeds in Roscommon, Sligo, and Mayo. This mixture of cajolery and firmness bore down opposition in Roscommon. The jury returned a verdict for the King, and in Sligo and Mayo the same result was obtained. The Galway jury at Portumna gave the Deputy more difficulty. Wentworth was there in the territory of the De Burghs. The head of the family, Earl of St. Albans and Clanrickard, had stood by Elizabeth when all Ireland was seething with rebellion. Ever since he had loyally kept his country in obedience to the Crown, but it was with the loyalty of a tributary king to his suzerain rather than with the fidelity of a subject. He had himself lived of late years in England, but his chief kinsmen exercised authority and dispensed justice in his name in Galway. Though sprung from the Norman invaders, the De Burghs had long been Irish in habits and religion, and they naturally looked askance on Wentworth's desire to establish the domination of Protestantism and of the English law on a soil so peculiarly their own.

Aug. The Earl of Clanrickard.

Resistance in Galway. To his surprise the jury boldly found against the King. His anger knew no bounds. He fined the Sheriff 1,000*l.* for returning a packed jury, and directed that the jurymen themselves should appear in the Castle Chamber to answer for their fault. He directed that steps should be taken to procure an order from the Court of Exchequer which would set the verdict aside, and that troops should be sent to Galway to make resistance impossible.[1]

The jury called in question.

Wentworth's explanation. Wentworth's own explanation of these proceedings was that the verdict given did not express the real

[1] Wentworth to Coke, July 14. *Straf. Letters*, i. 442.

sentiments of the jurors. It had been dictated to them by the Earl's nephew and steward. It was no mere question of truth or falsehood. It was simply a question of loyalty to the Earl or loyalty to the King. Now therefore was the time to break the power of this powerful chieftain. A fair opportunity was offered of securing the county 'by fully lining and planting it with English.' To do this it would be necessary to take from the pretended owners of land more than the fourth part, of which, by the rules of a plantation, those of the other three counties were to be deprived. His Majesty was 'justly provoked so to do, and likely to put a difference between them who force him to undertake a suit at law for his own, and his other subjects who readily acknowledge his right.'[1]

Character of his treatment of the jury.

The chief lesson of Wentworth's history is missed by those who regard him as an oppressor and a tyrant beating resistance down before him in order to give free scope to his own arbitrary will. In truth the type of his mind was that of the revolutionary idealist who sweeps aside all institutions which lie in his path, and who defies the sluggishness of men and the very forces of human nature, in order that he may realise those conceptions which he believes to be for the benefit of all. The real objection to Wentworth's dealing with the Galway jury was, not that he respected it too little, but that he made use of it at all to attain an object which those who composed it regarded as unjust. He tried at one and the same time to reap the advantages of autocratic despotism and of legal government. The result was far worse than if he had interfered authoritatively with the strong hand of power. By consulting the jury and refusing to be bound by its

[1] Wentworth and the Commissioners to Coke, Aug. 25. *Straf. Letters*, i. 450.

CHAP. X. 1635. Aug.

verdict, he sowed broadcast the seeds of distrust and disaffection. He had bowed in semblance before the majesty of the law, only to turn upon it in anger when it ceased to do his pleasure. The King's authority would be associated more than ever in the eyes of Irishmen with unintelligible, incalculable violence. It was a force to be bound by no engagements, and acting by no rules which they were able to understand.

In the end, however, Wentworth's policy would stand or fall by the measure which he dealt out, not to the kinsmen and followers of Clanrickard, but to the mass of the population of the county. It is useless to deny that his intention was to benefit them. But here too there was the mixture of force and fraud which ruined the success of either. He wanted the Irish to be more orderly and industrious, more rational in religion and politics, higher in the scale of civilised beings in every way. Yet his own conduct was not one which he could fairly ask them to imitate. They knew that he proposed to deluge their land with English colonists who would regard them with contempt, and who were only to be brought so far from home in order that they might keep them in awe as the gaoler keeps his prisoners. They knew that he treated with contempt the religion to which they clung and the old ancestral reverence with which their chiefs inspired them. To Wentworth the relation which bound them to their chiefs was one of mere tyranny on one side and servitude on the other. He did not see, what the poorest Irish cotter saw, that that system which seemed to favour none but idle swordsmen and profligate cosherers, kept up in the hearts of the Celtic people the belief in the old principle which still survived as part of the old inheritance of our race, that the soil

belonged not to this man or to that, but to the tribe which dwelt upon it. What did they know of the arguments of the Dublin lawyers, based upon technicalities which were but the froth and scum of an alien system of law. What were the flaws to be found in the grants of Plantagenet kings, or contrived by the roguery of Dublin officials, to them? They held that the land was theirs, and that it was not to be portioned out to any intruder who might come in by the good favour of a foreign ruler.

Petition from Galway.

It does not follow that Wentworth was not right in proclaiming that the time had come when the system of tribal ownership must give way to the system of individual ownership. But he did not even try to take along with him those who were most interested in the change. "If," said the inhabitants of Galway in a petition to the King, "pretension of manuring and bettering the country be the ground of plantation, if his Majesty be so pleased, they will undertake to effect such performances as any other planters would have done, the rather that they will make it appear how the country, though now in a good state, would be shortly much improved if the fear of plantations and other threatenings had not hindered them." Doubtless there were risks on this side too, and it would need some pressure to obtain the fulfilment of these promises when the fear of danger was withdrawn. It would need the maintenance of a powerful army and the exertion of active diligence to see that the change was really effected. But it would have had the immense advantage of making it clear in the eyes of the Irish population that the English Government was on their side, and that it was in favour of the poor and oppressed Irishman, not in favour of the English adventurer, that its strong arm was ready to intervene. Above all,

CHAP. X. 1635. Aug.

Wentworth would at last have had a case which would enable him to appeal to the sense of justice of those whom he governed. To say that the King's promises to the Connaught landowners were conditional upon the performance by those landowners of the duties which they owed to their own followers would have offended no man but those landowners themselves. To seize the lands of rich and poor upon what every man knew to be a mere pretext, in order that he might build up upon the ruins a new society the very foundations of which had yet to be laid, was to offend against the universal sense of right. There are times when institutions become worthless, when Parliaments and juries are mere cloaks for misgovernment and oppression. But behind Parliaments and juries lies an indestructible tenacity with which every population clings to the habits of life which it has inherited. Wentworth, for a time at least, might have set aside the institutions which were intended to be the organs of the population if he had reverenced the population itself. In hurrying on social changes which approved themselves to few excepting to himself, he courted disaster. He was building a house upon the sand. The flood would soon rise which was to sweep it away.

Wentworth failed where he believed himself to be strongest. At the bottom his life's work was contention, not so much for the Royal authority as for the supremacy of intellect. And now it was his own intellectual conception of the Irish problem which had proved defective. "The voice of the people," as the first Parliament of James had declared, is, "in things of their knowledge, as the voice of God." If Wentworth saw things to which the Irish people were blind, they too, in their turn, saw things to

which he was blind with all his wisdom. There is no security that the wisest statesman will not pursue a phantom of his own imagination. There is no security that popular feeling will not rush headlong into impatient and ignorant action. But the statesman guards himself best against the errors incident to his calling who keeps his ear open to the indications of popular feeling which it is his business to guide, as the people guard themselves best against the errors incident to their position when they keep their ear open to the words of experience and intelligence which it is their safety to follow. It was Wentworth's fault that he attempted to drive and not to lead, that he offended deeply that moral sense of the Irish community in cherishing which far more than in the importation of hundreds of English soldiers or thousands of English colonists, lay the truest hope of the progress of Ireland in civilisation and in all things else.

CHAPTER XI.

THE SECOND WRIT OF SHIP-MONEY.

CHAP. XI.

1635. Wentworth and Laud.

To no man did Wentworth pour out his troubles and his difficulties as he did to Laud. The mind of the Deputy indeed was cast in a nobler mould than the mind of the Archbishop. He was less regardful of trivialities, and more bent upon assuring the higher aims of a statesman's life. But in the main the characters of the two men were formed upon the same lines. Both trusted to the influence of external discipline upon the minds of the people. Both were unwilling to admit that the ruler who had formed his own idea of right ought to be turned aside by the desire of complying with the wishes of the governed. Both were beyond measure energetic, and unsparing of themselves in the service of that master whose interests they believed to be identical with the interests of the State. Both were advocates of that which in the jargon of their confidential correspondence they called Thorough,[1] of the resolute determination of going through with it, as it might nowadays be expressed, of disregarding and overriding the interested delays and evasions of those who made the public service an excuse for enriching themselves at the public expense, or the dry technical arguments of

Thorough.

[1] Thorough and through are the same words, and in the 17th century were spelled in the same way.

CHAP. XI.

1635. April.

the lawyers which would hinder them in their schemes for the public good.

It was a noble ambition by which these men were possessed, an ambition which was, however, none the less likely to overleap itself because it was not stained with personal selfishness or greed. It forgot that the desire to do good is not always an assurance of wisdom, that even the quirks of ignorant lawyers or the stupidity of an ignorant mob may be a useful safeguard against the hasty and thoughtless actions of men who believe themselves to be wise.

In the spring of 1635, however, Wentworth and Laud seemed to be carrying all before them. They were able to rejoice together over the removal of the man who was the impersonation of inactivity and selfishness. Portland was dead, the cause, they thought, of all that was amiss, the Lady Mora of their correspondence. Month by month Laud had watched his irregularities, had dragged them to light before the King, and had been startled to find that Charles clung to his old minister in spite of all that could be said against him.

Conversation between Laud and Hyde.

Laud fondly hoped that the system which Portland had established would come to an end with his life. When Edward Hyde, the young lawyer who was one day to become Earl of Clarendon, came to him to tell how the late Treasurer had thrown useless obstacles in the way of the merchants of London, in order that a dependent of his own might be benefited by the obstruction, Laud told him that he knew nothing of such matters, but that as the King had, contrary to his desire, made him one of the Commissioners of the Treasury, 'he intended to spare no pains to enable himself to serve his master.'[1]

[1] *Clarendon's Life*, i. 22.

CHAP. XI.

1635.

April. Wentworth and Cottington named for the Treasurer's staff.

The appointment of the Treasury Commission was only a temporary expedient. Amongst those who were regarded as likely to be ultimately selected as Portland's successor, Wentworth and Cottington were the most prominent, and it was believed that on the whole the King inclined to Wentworth.[1] It is useless to speculate whether, if the Lord Deputy had at this time transferred his services to England, he would have accelerated the outburst of resistance by his arrogant defiance of the popular will, or would have postponed it by the skilfulness of his repressive measures. For the present, however, it was impossible to recall him from Ireland. When Portland died in March, the Irish Parliament was still sitting, and Connaught was still unvisited. Partly in the hope that Wentworth's services might still be available in England, partly in order that a thorough and impartial investigation might be conducted into the financial position of his Government, partly too from the natural irresolution of his character, Charles postponed the selection of a Lord Treasurer for some months to come.

Laud and Cottington at the Treasury Commission.

At the Treasury Commission Laud was the representative of Wentworth's ideas, less skilful indeed, and far less likely to seize the true point at issue in a complicated question, but to the full as pertinacious and as resolute to set the service of the King above all other considerations. Both here and at the Committee for Foreign Affairs, he found himself opposed by Cottington, whose faults and merits alike were in glaring contrast with the faults and merits of the Archbishop. When Laud willed anything he willed it with all the fixity of purpose of an earnest if narrow mind. He was utterly ignorant of the ways of the world, and, as he had told Hyde, he had no acquaintance with the special business

[1] Correr's despatches, March $\frac{18}{28}$, $\frac{20}{30}$. *Ven. MSS.*

of the Treasury. His moral indignation against the carelessness and the worse than carelessness of officials filled the sails of his purpose, and he drove straight to the mark before him, reckless what offence he gave or what difficulties he laid up in store for the future. For himself he had no private ends in view, no desire of pelf or vainglory, no family to provide for or state to keep up. Cottington, on the other hand, was swayed neither by zeal for the public good nor by scrupulous regard for justice. He would be content if only, whatever happened, the bark of his fortunes remained floating on the tide. Never at a loss for a courteous word to those who sought his favour, he was never known to do a kind action which entailed loss upon himself. If there was anything which he really respected it was the Church of Rome and the Spanish monarchy. But the representatives of the Church of Rome and of the Spanish monarchy did not cease to complain that they could never be sure whether he was in earnest or not, or to express a belief that in all probability he meant to trick them in the end. He had a superficial knowledge of most things, without knowing anything thoroughly. As Chancellor of the Exchequer, however, he had acquired a close acquaintance with the details of financial business, which, together with his perfect command over his own temper, gave him an enormous advantage over his irritable rival. Nothing pleased him so much as when he could contrive by gravely defending some untenable proposition, to excite the anger of the irascible Archbishop, in order quietly to turn the laugh upon him in the end. Nor was the conflict between the two men so entirely unequal as the difference between their moral natures would seem to show. Laud brought with him to the Treasury the same errors which were

CHAP. XI.

1635. April.

the cause of all his misgovernment of the Church. Just as outward form and ceremony was to him not merely the sign but the very source of Christian unity, so he never got beyond the idea that to gather money into the treasury was the sign and source of the political strength of a financier. It was enough if material wealth were at his command, and he never stopped to ask whether the moral forces upon which the constant supply of wealth ultimately depended were also on his side. Cottington was very far from seeing the root of the evil, but he had tact enough to know that even a surplus might be dearly bought at the cost of exasperating the nation.

March

Cottington was the more to be dreaded as an antagonist, as he had lately received a special mark of the King's favour. Sir Robert Naunton, Master of the Court of Wards, was old and in ill health, and Cottington was selected by the King as his successor. The Earl of Salisbury, it is true, had received a promise of the reversion of the place, but Salisbury was notoriously incompetent to fulfil the duties of any office calling for the exercise of the most ordinary ability, and a letter drawn up by Cottington himself informed him that though his Majesty would not forget him, he would not make him Master of the Wards.[1] It was more difficult to deal with Naunton himself. Ill as he was, he was hopeful of recovery, and he would not hear of retiring. It was only by the direct intervention of the King, accompanied by general promises of favour, that he was at last induced to surrender his office. A few days later the poor man was petitioning for a pension granted him by the late King, which had remained unpaid for

March 27.

years. He died almost immediately after the petition

[1] Cottington and Windebank to Salisbury, Feb.? *S. P. Dom.* cclxxxii. 110.

had been penned.[1] Cottington had some days before taken possession of his office, which became in his hands more profitable to the Crown than his predecessor had made it.

1635. March 16. Cottington Master of the Wards.

It was not long before Laud began to doubt whether much had been gained by Portland's death. In all his efforts to obtain a thorough investigation of the finances he was met by difficulties moved by Cottington. At last the quarrel came to a head over an arrangement which had been made by the late Lord Treasurer for improving the manufacture of soap, and for filling the pockets of his friends.

The Soap patent.

The origin of the soap monopoly which came in the end to stir up the ill feeling of the people against the Government and to set rival ministers by the ears was a humble one. Certain persons had obtained a patent in the preceding reign for the manufacture of soap by a new process, from materials produced within the King's dominions. This grant was confirmed in December 1631 by a patent in which the Monopoly Act was distinctly appealed to in words which shew the anxiety of those who drew it up to keep within the limits of that statute.[2]

1631. Dec. First Soap patent.

So far, nothing illegal had been done. But it is proverbially difficult to draw an Act of Parliament so as to secure it completely against evasion, and the Monopoly Act proved no exception to the rule. The legislature had distinctly excluded corporations from the incidence of the act, and as it was a legal maxim that the King could found corporations for the benefit of trade, it was in the King's power to create as many monopolies as he pleased by placing the sole right of

1632. The Soap Company.

[1] Petition, *S. P. Dom.* cclxxxv. 74.

[2] Grant to Jones and others, Dec. 17, 1631. *Pat.* 7 *Charles I*, Part 10.

CHAP. XI. 1632. Jan.

manufacture in the hands of a corporation instead of conferring it upon an individual. Nor were the King's powers exhausted here. He claimed a general right of supervision over trade for the benefit of the community, which, if he chose to make use of it, would entitle him, in the eyes of the prerogative lawyers, to interfere with commercial transactions in every possible way. In the exercise of these powers, Charles, early in 1632, erected a Company of Soap-makers to buy up the rights of the patentees. The Company engaged to produce by the new methods 5,000 tons of soap a year, and to pay into the exchequer 4*l.* for every ton sold by them, which upon the quantity named would bring in 20,000*l.* a year. They engaged to retail the soap at the low price of 3*d.* a pound. The King was, on his part, to prohibit the export of tallow and potash in order that the materials of the manufacture might be attainable at a cheap rate. No monopoly was granted to them excepting for the new invention which they had secured, but they were empowered to test all soap made by independent persons, and to prohibit its sale unless it had been marked by them as sweet and good.[1]

It is authorised to test all soap manufactured.

Oppressive nature of this permission.

The last provision was as impolitic as it was oppressive. By it the independent soap-makers were subject to a test imposed not by an impartial official, but by the very men who were their rivals in trade, and who had every interest in pronouncing their productions to be deficient in quality. The suspicions to which the grant of powers so enormous naturally gave rise were strengthened when it was known that the greater number of the members of the new Company were selected from the clique of Roman Catholics who

[1] Erection of the Corporation, Jan. 20. Indenture, May 3, 1632. *Pat.* 7 *Charles I.*, Part 12. 8 *Charles I.*, Part 5.

had attached themselves to Portland, and who were finding so many opportunities of enriching themselves through his protection.

June 28. Whilst the minds of those who were engaged in the soap trade were still in a state of excitement, a proclamation appeared forbidding the use in the manufacture of any oil other than olive or rape oil. The employment of fish oil, which had been much used for many years, was thus prohibited, on the ground that soap so made was bad.[1]

1633. Resistance of the soap-makers. The soap-makers protested in vain. They retorted that the Company's soap was as bad as theirs was good, and they found many believers. The question between the Company and the soap-makers rapidly assumed the dignity of an affair of state. The Council charged the soap-makers with suborning persons to spread false rumours to the disparagement of the Company's soap, and ordered the Attorney General to commence a prosecution in the Star Chamber of some of their number who persisted in carrying on the manufacture without submitting to the Company's test. In order to meet the rumour by other means than prosecution, the Council directed that the new soap should be submitted to an impartial tribunal. The Lord Mayor, the Lieutenant of the Tower, together with sundry Aldermen and men of note, were formed into a Court of Inquiry.[2] When the Court assembled, two washerwomen were introduced, to one of whom was handed a piece of the Company's soap, whilst the other was supplied with soap procured elsewhere. Tubs were brought in and a bundle of dirty clothes. When each washerwoman had done her best, the Court

Nov. Star-Chamber prosecution ordered.

Dec. 6. Court of Inquiry constituted.

[1] Proclamation, June 28. *Rymer*, xix. 383.

[2] Orders of Council, Dec. 6, 1633, Jan. 29, 1634. The Council to the Justices, Feb. *S. P. Dom.* cclii. 21, ccliv. 34, cclx. 119.

CHAP. XI.

1633. pronounced that the clothes washed with the Company's soap 'were as white and sweeter than' those which had been operated on by the production of the independent manufacturers. To add weight to this decision, a declaration in its support from more than eighty persons of various ranks, peeresses and laundresses being included, was circulated with it, and to this was appended a statement that the opinions said to have been given against the soap were not really the opinions of those to whom they had been attributed, or else had been 'procured by persons who had no experience in the said soap.'

1634. Feb. The Council urge the use of the new soap.

Soon after this report had been received, the Privy Council wrote to the Justices of the Peace in commendation of the virtues of the authorised soap. Its recommendations were received with a smile of incredulity. It seemed so probable that the Council cared more about their rent of 20,000*l.* a year than about the excellence of the manufactured article. When the agents of the Company visited private works in order to seize untested soap, the owners were able to raise a mob against them. They complained that their clothes were torn, and their lives in danger. The Company called upon the Council to come to its assistance with that protection without which it would be ruined. Unpopular as monopolists, the Soap Company was additionally unpopular as being mainly composed of Catholics, and it was even believed in well-informed quarters that much of the money invested had been raised by the Jesuits. The new soap was known in the streets as the Popish soap. It was hard to drive a successful trade in the face of such obstacles.[1]

Sept. Soap riots.

[1] "È pur troppo vero che qualcuni, per non dir molti, in particolare Gesuiti e Benedettini, hanno mutato il negotio delle anime in quello delle borse; et in particolare si dice del detto Basilio," i.e. Sir Basil Brooke,

CHAP. XI.

1634. Sept. 27. The Soap Company in difficulties.

Like the patentees of gold and silver thread fourteen years before, the Company was now in difficulties through the impossibility of securing themselves against competition. They had incurred considerable expense in establishing their business, and they had been unable to make the promised payments to the Crown. Their charter was thus forfeited by the non-fulfilment of its conditions. Yet the Council continued to take their part, and ordered the arrest of the offenders.[1]

1635. Offers of the independent soap-makers.

Such was the position of affairs when Portland died. The Company had been so entirely his creation, that the independent soap-makers saw in his death the signal for their triumph. They came forward with the most lavish offers. If only they were formed into a corporation in the place of their rivals, they were ready to pay 8*l.* a ton into the exchequer, instead of the 4*l.* which the Company had offered. The share of the King in the proceeds of the manufacture would thus have been raised, upon the estimated rate of 5,000 tons yearly, from 20,000*l.* to 40,000*l.* a year.[2]

Laud took their part. He was doubtless content, like the rest of his contemporaries, to believe that it was a good act to encourage the manufacture of soap made out of English materials in the place of the manufacture of soap made out of foreign materials, and if this principle was to be maintained, it was better that the work should be entrusted to those who were practically acquainted with the business, than to a body of gentlemen whose only qualification was the possession

"et suo compagno, che con danari de' Gesuiti sia entrato in un traffico d' un nuovo sapone, il quale, perche a questa plebe non piace e conosce l' autore, lo chiama sapone papistico." Panzani's letter, $\frac{\text{Jan. 30}}{\text{Feb 9}}$, 1635. *Record Office Transcripts.*

[1] Petition of the Company, Sept. 29. Order in Council, Sept. 29. *S. P. Dom.* cclxxiv. 52, 53.

[2] Laud to Wentworth, June 12. *Laud's Works*, vii. 138.

CHAP. XI.

1635. June. Contention between Laud and Cottington.

of Court favour. Cottington, however, thought otherwise. The friends of Portland were in the main his friends, and he fought hard against Laud at every stage of the discussion. Laud, indeed, unintentionally placed arms in his opponent's hands. Instead of advocating the cause of his clients on the ground upon which they were strong, he supported them on the ground on which they were weak. If it was wrong to levy 20,000*l.* a year from the existing Company, it was still more wrong to levy 40,000*l.* from their rivals. If the price at which the soap was sold would not bear the burden, the sellers would be ruined. If it could bear the burden, a new form of indirect taxation would be imposed by the royal prerogative. It may easily be understood that neither Laud nor Cottington cared to enter upon the question involved in this last consideration. On the simple ground that 40,000*l.* would be better for the exchequer than half that sum, Laud beat Cottington from point to point. But, as he bitterly complained, 'when all holes are stopped, then the King could not do it in honour, and God knows what.' On Laud's own shewing, Cottington was plainly in the right. Unless the charter were attacked on higher grounds, it was not for the King's honour that a compact deliberately entered into should be annulled simply because others offered to pay a larger sum into the exchequer. In the end the Company's rights were continued on the understanding that they would advance 10,000*l.* for the King's immediate necessities, to be deducted from their future payments.[1] The payments were to be 30,000*l.* for the next two years, and 40,000*l.* afterwards.[2] Laud had therefore gained his

The Company continued.

[1] *Receipt Books*, July 17. Hallam was mistaken in supposing this money was paid as a fine for the renewal of the charter.

[2] Garrard to Wentworth, July 30. *Straf. Letters*, i. 445.

point with respect to the money, whilst Cottington had his way about the persons. The independent manufacturers paid the penalty. They were delivered over to fine and imprisonment in the Star Chamber whenever they ventured to make soap without submitting their articles to the inspection of the Company's searchers.

Laud's quarrel with Windebank.

Laud's anger, when once it was aroused by any suspicion of slackness in the service of the King, was not easily allayed. He was convinced that the Company would never pay the money, whilst he was equally convinced that there would be no difficulty in obtaining it from his own favourites. All who had taken Cottington's part in the business were included in his displeasure. The desertion of his old friend Windebank vexed him greatly, so greatly that he broke off all ties of friendship with a man whom he had raised to the Secretaryship and who had now turned against him. It was very pitiable, but it was something more than a mere difference of opinion which angered him. He had discovered that Portland had been bribed with 2,000*l.* by the Company, and he saw in Cottington the continuator of Portland's want of principle. He was disgusted with his disingenuousness, and with his disposition to shrink from going to the root of difficulties. To Wentworth he poured out his distress freely. If Portland had been the Lady Mora, Cottington was the Lady Mora's waiting-maid. All he wanted was to get the Treasurer's staff and to fill his own pockets as Portland had done before him.[1]

Energetic action of the Treasury Commission.

The impulse which Laud's presence gave to the Treasury Board could not possibly remain without effect. Old accounts were subjected to a thorough investigation, new sources of revenue were opened up,

[1] Laud to Wentworth, July 31. *Laud's Works*, vii. 155.

CHAP. XI. 1635.

and old claims refurbished for modern use. In Portland's time few new demands had been advanced. There was a good deal of peculation, but scarcely any taxation to which people were not already accustomed. The compositions for knighthood were universally acknowledged to be legally due to the King. Even the payment of Ship-money by the port towns had given rise to no general objection. Scarcely was Portland in his grave when all this was changed. To fill the King's exchequer was the first thought with Laud and of those whom Laud was able to influence.

April 8. Essex Forest Court.

The forest claims were first moved. On April 8 the blow at last fell upon the Essex landowners. The Court which had adjourned in the preceding autumn was re-opened by Holland, and this time Finch appeared as an assessor on the Bench. Sentence was given for the Crown. All lands to the south of the road from Colchester to Bishop's Stortford were adjudged to be within the limits of the forest. Holland explained that though he was bound to carry out the sentence of the Court, he would do what he could to mitigate its violence.[1]

May. Commission on depopulation.

Mitigated or not, the sentence delivered in Essex could not fail to propagate the belief that the King was determined to strain his technical rights in order that he might reap a pecuniary advantage. The issue of a Commission on depopulations pointed in the same direction. In the preceding October Sir Anthony Roper had been sentenced to a heavy fine in the Star Chamber for allowing fields which had once been cultivated to be desolate, and for ejecting the cultivators from their homes. The Commissioners were directed to enquire into similar cases, and to compound with the

[1] Abstract of Proceedings in the Statements on behalf of the Commissioners of Works, p. 37. *Epping Forest Commission.*

guilty upon payment of a fine. It looked as if there was more thought taken for the money to be paid for condoning the evil than for the redress of the evil itself.[1]

June 27. Coventry's speech to the Judges.

It was but another step in the same direction when Coventry announced that the King had resolved to give a further extension to the writs of Ship-money. On June 17 the Lord Keeper addressed the Judges according to custom before they left London for the Summer Assizes. The first part of his speech may be accepted as an exposition of Charles's system of government in its ideal form. He spoke to the Judges of the care which it behoved them to take to do equal justice between rich and poor, to guard against 'the corruptions of sheriffs and their deputies, the partiality of jurors, the bearing and siding with men of countenance and power in their country,' to make 'strict inquiry after depopulations and inclosures, an oppression of a high nature and commonly done by the greatest persons that keep the juries under and in awe, which was the cause there are no more presented and brought in question.'

Oppression of the weak to be resisted.

To maintain the right of the weak against the strong was, according to Coventry, the special glory of the Crown. The records of the Star Chamber, scanty as they are, shew how ill its action could be spared in this respect. Sir Francis Foljambe, for instance, laid claim to certain tithes. A verdict having been given against him, he 'being a person of great power in the country,' sent men upon the land, who 'riotously beat the work-folks and carried away the corn.' Sir Henry Anderson, again, took offence against a person named Poole for refusing to sell him a rectory, threatened to set fire to his tenants' houses, picked a quarrel with him, and with the help of his servants gave him a

[1] *Rushw.* ii. 333. Commission, May 8. *Pat. II, Charles I.* Part 5.

CHAP. XI.

1635. June 17.

sound beating. Another case was that of John Dunne, who 'at such time as Nathaniel Dunne was giving evidence against him at a quarter sessions upon an indictment for the King, did interrupt him, pinched him backward, and struck him with his hand, and thereby enforced him to go away without giving evidence.'[1]

Coventry's practical aquaintance with such facts as these might lead him to doubt the wisdom of placing uncontrolled supremacy in the hands of an assembly consisting mainly of country gentlemen. The time had come, however, when it would be necessary for the King to be more than the guardian of internal peace.

Coventry draws attention to the danger of a foreign attack.

At the moment at which he was speaking the French and Dutch armies were laying siege to Louvain, after the sack of Tirlemont. Was England sufficiently protected against a similar attack? "Christendom," he said, "is full of wars, and there is nothing but rumours of wars. What hath been done of late years abroad by fire and sword it were a pity and grief to think of, yet we have had the goodness of God and his Majesty's providence all this while, and have enjoyed a most happy peace and plenty. As it is a good precept in divinity so it holdeth in polity too, *jam proximus ardet*, which if we observe to defend ourselves, it would be a warning to all nations, and we should be the more assured to enjoy our peace if the wars abroad do make us stand upon our guard at home. Therefore no question it hath ever been accustomed the greatest wisdom for a nation to arm that they may not be enforced to fight, which is better than not to arm and be sure to fight."

Explains the claim to the

Coventry then proceeded to speak of the fleet which was then at sea under Lindsey's command.

[1] *Rushw.* ii. App. 40, 53, 56.

Even Charles's extreme claim of the sovereignty of the seas was depicted by the Lord Keeper as a purely defensive measure. "The dominion of the sea," he said, "as it is an ancient and undoubted right of the Crown of England, so it is the best security of the land. The wooden walls are the best walls of this kingdom." A manufacturing and commercial people would be courting ruin if the outlets of its trade were left at the mercy of foreign nations. His Majesty had found it absolutely necessary to increase the strength of his fleet in the coming year. Then followed the conclusion, inevitable it might seem to Coventry. "Therefore," he said, "upon advice he hath resolved that he will forthwith send out new writs for the preparation of a greater fleet the next year; and that not only to the maritime towns, but to all the kingdom besides; for since that all the kingdom is interested both in the honour, safety, and profit, it is just and reasonable that they should all put to their helping hands."[1]

Sovereignty of the seas.

June 17. Announces that Ship-money must be paid by all.

There are moments in the life of men by which the whole course of their future lives is sensibly affected. Looked back upon out of the gloom of a ruined career, they stand out with awful distinctness against the background of a forgotten past. At the time, the step taken, or the opportunity lost, slipped by unnoticed. It was then but one in a chain of causes and effects, with nothing in it calling for special remark or demanding any careful or anxious consideration. So it was with these words of the Lord Keeper. All that he seemed to ask was that the charges necessary for the service of all should be borne by all. In our days no minister would dream of dealing with the question in any other spirit. No Chancellor of the Exchequer would venture to impose the charge of the navy upon Hampshire and

Importance of this demand.

[1] *Rushw.* ii. 294.

CHAP. XI.

1635. June 17.

Yorkshire whilst Derbyshire and Worcestershire went free. Coventry's argument that the protection of English commerce concerned the man who kept sheep on the Cotswolds or who sat at the loom at Leeds as much as the shipowner who sent the finished cloth across the sea, was unanswerable.

Coventry's silence on the right to levy.

Upon the further question of the right of the Crown to levy money which it was undeniably desirable to levy, Coventry was entirely silent. It was most unlikely that others would be equally silent. The old maxim of the English constitution, that those things which were for the good of all must be provided by the common consent of all, would be certain to make itself heard once more. Even if Charles had meant no more than Coventry meant, if it had never entered into his head to employ in wanton or unwise aggression the fleet which he needed for defence, it could never have been safe to entrust a King with the permanent right of maintaining an armed force which he might employ in defiance of the express wishes of the nation. Then too there was the further question of the right of taxation. Charles might attempt to explain his demand for money as a mere extension of his right to demand personal service from every one. The common sense of Englishmen told them that it was not so. If money might be levied to-day under this pretext, it might be levied under some other pretext to-morrow. Englishmen would be taxed not by their representatives in Parliament, but by the King and the Council. With the loss of the control over taxation all chance of controlling the political action of the Court would go at the same time. The nation might not always be wise in its desires or in the remedies to which it looked. It might cherish in its bosom men who would enlist its sympathies for selfish ends, or who would use the positions which they occupied in

it for the gratification of their avarice or their passions. Much that Coventry and Wentworth said of the evils of popular government was undeniably true. But the remedy which they proposed was worse than the disease.

June 17.

The extension of Ship-money to the inland counties was not the only inroad upon the property of the subject made under the influence of the Treasury Commission. Portland had thought himself well off to be able to collect Tonnage and Poundage very much as it had been collected by his predecessors.[1] There had been an additional impost upon tobacco, and an additional export duty upon coals, with the view of keeping the precious mineral from finding its way abroad. But with these and a few other trifling exceptions, whatever increase of revenue derived from customs there was, was due to the growth of commerce and not to increase of taxation.

July 16. Increase of customs.

The average ordinary revenue of the Crown, calculated on the five years ending in December 1635, was about 618,000*l.* The same revenue in 1623 had been 570,000*l.*, if allowance be made for the difference of form in which the accounts were rendered, shewing an increase of 48,000*l.* in eight years. Of this difference, only 5,000*l.* is to be set down to the account of customs duties of various kinds, whilst the remaining 43,000*l.* was obtained from other sources, 15,000*l.*, for instance, being set down to the Court of Wards, and 8,400*l.* being the amount of additional payments secured from Recusants alone.[1] The annual deficit on the ordinary account was 18,000*l.*, the whole of the ordinary expenditure being calculated at 636,000*l.*

Revenue of the Crown.

The deficit.

If therefore the Soap Company fulfilled its promises in spite of Laud's doubts, the ordinary expenditure

[1] The account of Portland's financial success given by Ranke from the despatches of the Venetian ambassadors is greatly exaggerated.

CHAP. XI. 1635.

would be more than covered. But besides the ordinary budget, there was a budget of extraordinary receipts and payments. During the ten years of Charles's reign which ended in the spring of 1635, the extraordinary payments had reached 2,847,597*l.*, whilst the extraordinary receipts had reached only 2,596,305*l.*, leaving a sum of 251,292*l.* to be covered by the constant anticipation of the revenue of future years. The extraordinary expenditure had been to a great extent caused by the expenses of the war at the beginning of the reign. But it was by no means limited to those expenses, and it is probable that an additional 100,000*l.* at least would have been needed to produce an actual balance of the revenue and expenditure. Besides this, the debt still requiring payment stood at 1,173,198*l.*[1]

Extraordinary budget.

July. Customs increased.

Such was the result of the thorough investigation into the financial state of the exchequer upon which Laud had insisted. Long before it was completed, the need of money had driven the Treasury Commissioners to make fresh demands upon the nation. As in the case of Ship-money, Coventry was employed to put the best possible face upon the business. On May 28 he had announced to the Privy Council that 'for the better balancing of trade in relation to the impositions in foreign parts upon the native commodities of this kingdom, it was advisable to draw up a new book of rates.' The new book of rates resulted in an augmentation of the duties levied estimated at no less than 70,000*l.*[2] If Laud and his colleagues were to proceed

[1] See the financial tables in the Appendix. Ranke's statement (Engl. tr. ii. 31) that the interest absorbed the greater portion of the revenue is in glaring contradiction with his own figures. On the forced loan, besides, no interest was paid, and some of the rest was in the same condition. Where interest was payable, it does not follow that it was paid.

[2] Council Register, May 18. Estimate of the revenue from customs, July 16. *S. P. Dom.* ccxciii. 127. The whole revenue from customs is there reckoned at 350,000*l.*, or more than half of the receipts.

at this rate, it was certain that if Parliament ever met again in time of peace, the power of the purse would no longer be in the hands of the House of Commons.

July. Foreign complications.

Would peace, however, be maintained? The cloud which whilst Coventry was speaking to the Judges overhung the Spanish Netherlands had passed away, and Charles was able complacently to inform Necolalde that his fleet had contributed by its protection of Dunkirk to so desirable a result.[1] But behind the question of the Netherlands lay the question of the Palatinate which Charles could neither let alone nor take up effectively. The news of the exclusion of his nephew from the benefit of the Peace of Prague touched him deeply, and his sister had been still more affected by it. Once more she appealed to him for active assistance. The treaty, she said, would open his eyes, and the eyes of all in England, 'if they be not shot out with pistols.'[2] In the Foreign Committee, however pacific counsels prevailed, and in this respect Laud was likely to meet with no opposition from Cottington or Windebank, upon whom the conduct of the secret negotiations with Spain now exclusively devolved. The young Elector would complete his eighteenth year in the winter, and it was thought right in England that before taking up arms, he should make a formal offer of his submission to the Emperor, and should demand in return to be invested in his father's lands and dignities, in order that no prejudice might follow the neglect of such legal formalities. Charles thus found an excuse for reconciling the duty of aiding his nephew with his desire to do nothing at all. In vain his wife painted in brilliant colours the advantages of an alliance with France. In his letters to his sister he explained that it was better

The Palatinate again.

[1] Necolalde to Oñate, $\frac{\text{July 31}}{\text{Aug. 10}}$. *S. P. Spain.*
[2] Elizabeth to Roe, July 2. *S. P. Dom.* ccxciii. 14.

CHAP. XI.

1635. July.

for him not to avail himself of the overtures of the French too soon. By delaying a little he might force them 'to unmask and deal plainly upon more equal terms.' It was at last arranged that Lord Aston should go as ambassador at Madrid, and that John Taylor, half a Spaniard himself by birth, should be despatched to Vienna to feel his way with the Emperor before a formal embassy was sent.[1]

What was Charles's policy to be?

When the first writ of Ship-money was issued, the intention of Charles was to use his fleet against the Dutch in alliance with Spain. Now that the second writ, with its far larger demands upon the patience of Englishmen, was preparing for issue, he had no decided policy of any kind. He was equally ready to employ his fleet against France in alliance with Spain, or to employ it against Spain in alliance with France. Whether he was to take one side or the other was to depend not on any consideration affecting the interests of England, still less on any consideration affecting the interests of humanity, but simply on the personal interests of his nephew.

Issue of the second writ of Ship-money.

No stirring appeal to the English people to accompany the call upon their purses was therefore possible. In the writ which came forth on August 4, the demand was justified on the ground 'that as all are concerned in the mutual defence of one another, so all might put to their helping hands for the making of such preparations as, by the blessing of God, may secure this realm against those dangers and extremities which have distressed other nations, and are the common effects of war whensoever it taketh a people unprepared.'

The fundamental laws.

From these words it was evident that Charles contemplated not a temporary measure to resist a sudden

[1] Coke to Boswell, July 30. *S. P. Holland.*

danger, but a permanent taxation to oppose any possible risk from a hostile force. Why then, men naturally asked one another, was not the nation itself consulted? Why was not Parliament summoned to provide a remedy for the evil? A phrase which sprung into existence in these first days of doubt and hesitation had a long and brilliant future before it. The new writ, it was said, violated the fundamental laws of England. It mattered little that no one could point out what those fundamental laws were, any more than their ancestors could have pointed out precisely what were the laws of Edward or Edgar the renewal of which they claimed. What they meant was that the English people had never entirely relinquished its control over its own destinies, nor had ever so put themselves like sheep into the hands of any king as to suffer themselves to be tended or shorn at his arbitrary will. Not in statute or precedent, not even in the Great Charter itself, but in the imperishable vitality of the nation, lay the fundamental laws of England.

The phrase which was soon to become so familiar seems to have started into life amongst those courtiers of the Queen who were calling for a Parliament to force upon the King a French alliance.[1] But it was easily repeated, and it soon became the watchword of the common feeling of dissatisfaction which was slowly spreading over the kingdom.

Feeling of the nation.

As yet, as far as we can judge, the feeling which prevailed with respect to the King was still one rather of dissatisfaction than of positive disapprobation. He had not committed the nation to any action which was distinctly unpopular. The fleet which had kept the

[1] Salvetti in his *Newsletter* of $\frac{\text{Sept. } 30}{\text{Oct. } 10}$ ascribes it to the Puritans; but the Queen's party at Court were Puritans in his vocabulary, and I fancy from his language that these are intended by him.

CHAP. XI.

1635. Sept.

sea during the summer had done but little, bad or good. Nor was the pecuniary pressure of the Ship-money great enough to be felt as crushing. The sum required was 208,900*l.*, or about two-thirds of the sum levied by gift of Parliament in the year in which the Petition of Right had been granted, and only exceeding by about 70,000*l.* the annual average of the amount levied in subsidies during the first four years of the reign.[1] The real grievance beyond that which attends any demand of money whatever was that the King had deliberately treated the nation as a stranger to his counsels, and that if his claim to levy money by his own authority were once admitted the door would be opened to other demands of which it was impossible to foresee the limits.

Aug. Holland in the New Forest.

The growing impression that Charles was using technical law to secure possession of absolute power received some aliment from the persistency with which he continued to urge his forest claims. Holland had held his Court at Winchester, and had struck at a victim more likely to make his voice heard at Court than the Essex landowners had been. The young Earl of Southampton was called in question for a great part of his estate at Beaulieu, and it was said that if sentence were given against him his income would be reduced by 2,000*l.* In October the blow fell. It was not likely that the King would prove inexorable to his petitions for relief; and in fact Charles, after keeping the Earl nine months in suspense, issued a pardon by which all future claims of the Crown were abandoned.[2] But it was none the less annoying to be reduced to beg for

Oct.

[1] The subsidies collected since the beginning of the reign were 612,387*l.* The result given above is obtained by allowing 52,000*l.* for arrears left uncollected after March 1629.

[2] Pardon, July, 8, 1636. *Patent Rolls*, 12 Charles I. Part 20.

1635.

the restitution of that which but for the quirks of the lawyers, he might fairly regard as his own property.[1]

Sept. Commission for Dean and Essex Forests.

The view which Charles took of these forest claims was one which would bring more odium upon his Government than the benefit which he derived from them was worth. In September he issued a commission to Holland and others, authorising them to grant pardons for encroachments upon Dean and Essex Forests to those who were willing to pay a moderate sum into the exchequer, and even to proceed to their disafforestation, if they could obtain the assent of those who were most interested in the measure.[2] If therefore Charles was far from converting his claims into engines of tyrannical oppression, or from wishing to draw from his subjects those enormous sums with which history has credited his memory, he allowed himself, for the sake of a few thousand pounds, to be regarded as a greedy and litigious landlord rather than as a just ruler or as a national King. Every man who would have to draw from his purse the small sum needed to satisfy the royal demand, knew that the claim itself was founded on no broad principles of justice. He learned to regard his sovereign as an unfortunate suitor regards a sharp-witted and unprincipled attorney, who has succeeded in plundering him through his superior knowledge of legal technicalities.

Cottington in favour with the Queen.

All this while the struggle between Laud and Cottington at the Treasury Commission was being carried on as vigorously as ever. Cottington had actually succeeded in bringing round the Queen to his side, partly perhaps by holding up Wentworth's invincible probity as a bar to her hopes of obtaining good things for her-

[1] Garrard to Wentworth, Oct. 3. *Straf. Letters*, i. 467. That sentence was given against him is proved by his subsequent pardon.

[2] Commission, Sept. 28. *Rymer*, xix. 688.

CHAP. XI.

1635. Sept.

self and her family, partly too by his lavish offers to support the French alliance which he was secretly doing his best to undermine.[1] Laud, moreover, was at the disadvantage of having as yet no candidate of his own to propose who was likely to be acceptable to the King, now that it had become less probable than ever that Wentworth, with the work of planting of Connaught before him, would be able to relinquish his post in Ireland. Even the King, much as he esteemed Laud, was not insensible to his rival's compliant flattery.

Richmond Park to be made.

Ever since the preceding year he had been bent upon enlarging Richmond Park, and had issued a commission to compound with the owners of lands within the projected boundary.[2] Some of these owners refused to part with their property, and Charles, impatient of resistance to his wishes, ordered that a brick wall should at once be built round the circuit of the new park, thus cutting them off from the surrounding country and depriving them of the value of their land. To Laud the whole scheme was most distasteful. Not only did it infringe upon the rights of property, but it would entail an expense of many thousand pounds. What hope was there of effecting a balance between the revenue and the expenditure, if Charles could not control his desire for personal gratification? When the demand for the money was brought before the Treasury Board, the Archbishop opposed it stoutly. These were not times, he said, for the King to spend anything in buildings of mere show. He was much astonished to find that there were men who had put such thoughts into his Majesty's head. Cottington, who knew himself to be aimed at, and who had privately

Aug. Laud protests against the expense.

[1] Seneterre's despatches are full of the intrigues of 'ce fourbe de Cottington,' as he calls them.

[2] Commission, Dec. 12, 1634; *Rymer*, xix. 585.

CHAP. XI.

1635. Aug.

remonstrated with the King in the same sense as Laud, nevertheless saw an opportunity of currying favour with Charles by appearing in his defence. They were not there, he said, to discuss whether his Majesty's intention were good or bad, but simply to put it into execution. As for himself, he did not think that the King was so poor as not to be able to meet a demand made on him for his own private pleasure, even if it entailed a considerable expense. It was he who had advised his Majesty to do what he had done, knowing that there was nothing wrong in it. Laud, hearing this astounding confession, reproached Cottington bitterly, and the sitting broke up in confusion. When Charles heard what had passed he only laughed at Laud for being so easily taken in, and shewed more favour than ever to Cottington. There were those who thought that he was secretly pleased to find a servant who was ready to tell a falsehood in order to take upon his own shoulders the blame which ought to have devolved on his master.[1]

The King disapproves of his conduct.

Laud had the mortification of seeing the continuance of the expense; 10,900*l.* were paid during the next six months for building the wall, and the compensation of the owners of soil would be likely to cost much more. Cottington was in higher favour than ever. In the beginning of October it was almost universally believed at Court that Cottington had secured the Treasury.[2] The discovery that Charles was not to be depended on in resisting extravagance was a heavy blow for Laud. "Now,"

Oct. Cottington thought sure of the Treasurership.

[1] The story told by Clarendon (i. 208) is demonstrably placed at a wrong date, and differs in most particulars from that told by Correr in his despatch of Aug. $\frac{6}{16}$. Still they are manifestly two forms of the same story, and I have not hesitated to give the preference to the contemporary narrative, borrowing a point here and there from Clarendon.

[2] Wotton to Cottington, Oct. 4. *S. P. Dom.* ccxcix. 4; Correr's despatch, Oct. $\frac{9}{19}$. *Ven. MSS.*

CHAP. XI.

1635. Oct. Laud's complaints.

he wrote, "the course hath fallen out otherwise with me, and so as I little expected, for I have all fair carriage and all other respects in private, but in the public he joins with Cottington. Insomuch that in the soap business, where I thought I had all reason on my side, I was deserted, and the opposite assisted by him; and not in this alone, but in the Commission for the Treasury, Windebank went stiffly, with Cottington and the rest, that it was not fit, nor no good could come of it, that the King should know his own estate. Now the thing that troubles me is this, that all should be as fair, and as much profession as ever, and a desertion of me in such open, honourable, and just ways as this." Such is the picture of Charles's Court drawn by Charles's most devoted supporter. "I am alone," he said, "in those things which draw not private profit after them."[1]

Case of Pell and Bagg in the Star Chamber.

The antagonism between the two men and the two systems which they advocated came to its height in the Star Chamber. A certain Sir Anthony Pell had long had claims against the Crown, and had found it impossible to obtain from the late Treasurer 6,000*l.* which were due to him. In his difficulty he appealed to Eliot's old enemy, Sir James Bagg, who had transferred his fawning servility to Portland after Buckingham's death. Bagg recommended him to bribe the Treasurer, and offered himself as the medium of the operation. On this pretext he drew from him no less a sum than 2,500*l.* After some time spent in fresh supplications for payment, Pell, finding himself no nearer his end than he had been before, charged Bagg in the Star Chamber with appropriating the money himself. Bagg replied that he had paid it over to Portland, and had no further responsibility. When the day of sentence arrived, Laud and his friends took

Nov. 11. The Court divided.

[1] Laud to Wentworth, Oct. 4. *Laud's Works*, vii. 171.

the part of Pell, on the ground that, even if Portland had had the money, Bagg deserved punishment as a broker of bribery, whilst Cottington warmly supported Bagg. In the end the Court was equally divided, and judgment was only given for Pell by the casting vote of the Lord Keeper.[1]

Arguments used in defence of Bagg.

It was startling that nine out of eighteen Privy Councillors should have rallied to the defence of such a transaction. Still more startling were some of the arguments by which they supported their vote. "Suppose," said Cottington of Bagg, "that he had the money, is it a crime if a man undertake to effect a business for another?" "I do not think it to be a crime," said Dorset, "for a courtier that comes up to Court for his Majesty's service, and lives at great expense to his attendance, to receive a reward to get a business done by a great man in power." Windebank followed in words which are enough to show that Laud's estrangement from him arose from a difference which went deeper than any mere divergence of opinion on the soap business. "For the bill itself," he said, in speaking of Pell's complaint, "I hold it precisely a most scandalous defamatory libel . . . I do hold the main intent and scope of the plaintiff was most maliciously to defame the Lord Treasurer, and under colour of clearing him, to wound his honour through the sides of his kinsmen, his friends, his two secretaries; and, rather than this should fail, to bring into public agitation and question his Majesty's affairs and debts, which in my poor

[1] *Rushw.* ii. 303. On Laud's side were Finch, Bramston, Coke, Vane, Newburgh, Holland, Lindsey, and Coventry; on Cottington's, Windebank, Juxon, Carlisle, Dorset, Arundel, Lennox, Manchester, Neile. It is strange to find the two Bishops on Cottington's side. The Judges, however, are in their place in voting for Laud. They wished to establish something very like absolute monarchy in England, but they wished it to be free from corruption.

CHAP. XI. 1635. Nov. 11.

opinion is of exceeding dangerous consequence, and all the good that would come of the punishment of Sir James Bagg, were he as foul as they would make him, is not to be put in the balance with the detriment that by the precedent may come to the King's service."[1]

Laud's reply.

Laud's reply was crushing. "If the Lord Treasurer have a near kinsman, or secretary, or any other employed for him, if those men shall be corrupt, or do those acts which shall make the world believe it is so, it shall be as much as if they were really guilty. For by this means the people will run on with an opinion of bribery and corruption. They cannot have it out of this great man's hand, but they must go that way of bribery to the secretary for it. It shall not only bring great men into despite, who perhaps never heard of it, but men when they cannot have their money without going this way care not what they do." Of Bagg himself he spoke as he deserved. "See," he said, "the many letters he writ, 'James Bagg, your most real friend.'—'Your business will be better done if you leave it to your friend, James Bagg.' Here is his hand against his oath and his oath against his hand. He is a most base fellow to say 'Your most real friend,' and to serve Sir Anthony as he did. I have now done with that bottomless bag, and with my censure."[2]

Charles refuses to punish Bagg.

Once more Laud failed to carry the King with him. Charles could not bear to punish a man who had devoted himself to his service. He refused to inflict any penalty whatever upon Bagg, and he left him in possession of the governorship of the fort at Plymouth. Such weakness was in truth an abdication of the higher duties of government which went far to justify the rising distrust of the Royal authority. Laud and Wentworth

[1] Windebank's notes, Oct. 23, Nov. 4, 6, 11. *S. P. Dom.* ccc. 34, ccci. 13, 27, 56.

[2] *Laud's Works*, vi. 29.

and Coventry might talk as loudly as they pleased about the duty of submission to his Majesty. The man who condoned the offences of Bagg was deficient in the elementary qualities by which respect is secured for a ruler.

Cottington's chance of the Treasurership.

Yet if Charles was not sufficiently impressed by the evidence produced at the trial to punish the culprit, he learned enough to make him hesitate whether it would be prudent to entrust the Treasurer's staff to Cottington's hands. A month before it had been believed that his appointment was certain. The end of November found the office still vacant.

Nov. Collection of Ship-money.

Opposed as Laud and Cottington were, they agreed in urging on the collection of Ship-money. In the Sheriffs and Justices of the Peace the King had his representatives in every county of England. To the Sheriffs especially, the work of conducting the assessment was committed, and they were directed to take account of personal as well as of real property, so as to bring the new levy into truer proportion to the actual income of the contributors than that of the old subsidies. For some time very few ventured to attack the imposition as illegal, but the very novelty of the mode of assessment offered an excuse for complaints. The work had to be done suddenly and speedily, and all over England the Sheriffs were overwhelmed with outcries against the unfairness of their decisions. Every hundred, every village in the country had excellent reasons to shew why it should pay less than others, and though there was seldom anything said in these complaints in any way inconsistent with an acknowledgment of the King's right to claim payment, the agitation would be certain to predispose those who took part in it to listen eventually to bolder spirits who might declare the demand in itself unwarranted.

CHAP XI. 1635. Nov.

Humphrey Chetham.

Much depended on the character of the Sheriffs. In Lancashire, Humphrey Chetham, whose name will ever be honoured in Manchester, was the Sheriff of the year. He sent at once for the mayors and constables, settled the assessment in a rough and ready fashion, refused to listen to excuses, and collected and sent up the money to Whitehall before the year was at an end.[1]

Difficulties of the Sheriffs.

Few of the Sheriffs were so prompt or masterful as Chetham. Letters full of difficulties about the assessments poured in upon the Council. Edward Nicholas, who was now secretary to the Commissioners of the Admiralty, was appointed to carry on the correspondence, and to give an account of it to the Council at its weekly Sunday meeting.[2] The first sign of a direct opposition to the Ship-money upon principle came from the hundred of Bloxham in Oxfordshire. In that hundred lay Broughton, where was the estate of Lord Saye and Sele, who was distinguished alike for the strength and pertinacity of his Puritanism and for the doggedness with which he turned to account every legal weapon which might serve his cause. Close by, too, though not actually within the hundred, was Banbury, that most Puritan of Puritan towns, in which, according to a jest which obtained some circulation, men were in the habit of hanging their cats on Monday for catching mice on Sunday.[3] To the chief constables of this hundred Sir Peter Wentworth, the Sheriff of the county, made out his warrant directing them to summon the discreetest men of the hundred to assess upon the inhabitants the 209*l.* charged on them. The reply he received, which was probably suggested by Lord

Resistance in Oxfordshire.

[1] Chetham to the Council, Dec. 16. Printed in the preface to Bruce's *Calendar of S. P. Dom.* 1635.

[2] *Council Register*, Nov. 8.

[3] Branthwait's *Drunken Barnaby.*

Saye, was that 'upon good consideration had,' they thought they had 'no authority to assess or tax any man, neither' did 'they conceive the warrant' gave 'them any power so to do,' and therefore they did 'humbly beg to be excused in and about executing the said service.' A second warrant produced no more satisfactory answer. In Banbury hundred the constable of a tithing absolutely refused to make any return of the names of those who would not pay. The Sheriff forwarded these answers to the Council, with the suggestion that the constables should be called before the Board.[1] But the Council was in no hurry to be brought into personal collision with these men. Wentworth was directed to make the assessment himself. The principle thus adopted of making the Sheriffs personally responsible was maintained to the end, and their diligent if not their zealous co-operation was thus enlisted in the service of the Court. The London sheriffs, who had been slow in carrying out their assessment, were summoned at the same time before the Council, and were ordered to attend every Sunday to give an account of their proceedings till they had completed their task.[2]

Remissness in London.

In Essex, too, some of the constables refused to assess. In Devonshire the Sheriff reported his fears that at least in some cases it would be necessary to have recourse to distraint and imprisonment.[3] As yet, however, such direct refusal was exceptional, and the Council had no reason to apprehend that it would be generally imitated.

Refusal to assess in Essex.

Still, there was opposition enough to create an

Dec. The Judges consulted.

[1] Wentworth to the Council, Nov. 27? *S. P. Dom.* cccii. 90. The certificates from Bloxham are enclosed, dated Oct. 19 and Nov. 2.

[2] Minutes by Nicholas, Nov. 29. *S. P. Dom.* cccii. 90.

[3] Report of the Sheriff of Essex, Nov. 15. The Sheriff of Devonshire to Nicholas, Nov. 26. *S. P. Dom.* ccci. 96, cccii. 87.

CHAP. XI.

1635. Dec.

uneasy feeling. Charles directed Finch to ask the opinion of the Judges on the legality of the step which he had taken. Finch afterwards declared that he 'did never use the least promise of preferment or reward to any, nor did use the least menace.'[1] It is likely enough that this was the case. It was unnecessary to remind the Judges which way the King's wishes lay, and most of them were inclined by their own temperament to take the same view of the case as that which had been adopted by Coventry and Finch.

Opinion of the Judges.

Without much delay Finch brought back the signatures of ten of the Judges to the following answer:—"I am of opinion that as where the benefit doth more particularly redound to the ports or maritime parts, as in the case of piracy or depredations on the seas, there the charge hath been and may lawfully be imposed upon them according to precedents of former times; so where the good and safety of the kingdom in general is concerned, and the whole kingdom in danger—of which his Majesty is the only judge—there the charge of the defence ought to be borne by all the kingdom in general."[2]

Croke and Hutton do not sign it.

Of the two Judges whose names were not appended to the paper, Croke gave a guarded opinion 'that when the whole kingdom was in danger, the defence thereof ought to be borne by all,' without reference to the quarter from which the demand should come. Hutton did not sign at all.

The legal view of the case.

It is impossible to dive into the hearts of the ten

[1] *Rushw.* iii. 126.

[2] *Bramston's Autobiography* (Camden Soc.), 66. Probably he found the paper amongst the MSS. of his father the Judge. He says that all the Judges signed, but Finch's evidence (*Rushw.* 126) that two did not is to be preferred, as he had better opportunities for knowing, and was not likely to have misstated a fact which must have been notorious.

Judges who decided for the King. The knowledge that their tenure of office depended on his favour may not have been altogether without its influence, an influence probably entirely unacknowledged by themselves. But it is only fair to allow much more than it has been the habit of historians to allow for the difficulty of answering the question put to them in any other way, without on the one hand admitting political considerations into a legal opinion, or abandoning on the other hand that view of the constitution which they had themselves so frequently defended.

The only part of their opinion, indeed, which was in any way subject to doubt was that which asserted the King to be the sole judge of the danger. For the politician the solution of the difficulty was not hard to find. It would not be unreasonable to hold that if danger were really to come suddenly and unexpectedly, the King would be authorised in the seventeenth century, just as the Cabinet would be authorised in the nineteenth century, in taking any steps which might be necessary for the safety of the State, without regard for the restraints of law; and that, as such steps would have to be taken in a moment of confusion when there was no time to summon a Parliament, the King must of necessity be the sole judge of the danger, for meeting which he was alone responsible. It would also be not unreasonable to hold that in cases where the danger was likely to develope itself more slowly, he would be bound to apply to Parliament for the special powers which he thought himself to stand in need of. But not only was it difficult to discover a legal formula which would distinguish between sudden danger and danger of a more deliberate kind, but the training of the Judges had not been such as to lead them to look with favour upon any attempt to circumscribe the pre-

CHAP. XI. 1635. Dec.

rogative. The fact was, not that Charles had assumed to himself a right of judging of the danger which had never been challenged by his predecessors, but that he had stretched that right immeasurably beyond the limits within which their good sense had confined it. They had called upon their subjects to follow them when an attack from an enemy was apprehended, and they had sometimes exaggerated the danger in order to serve their own ends. Charles, with no immediate risk in view, had rightly judged that there was a necessity of permanently increasing the defensive forces of the realm, and had imposed upon the kingdom a tax which he intended to make permanent in order to free himself from the necessity of calling Parliament.

Is Parliament a constituent part of the State?

Once more, behind all the legal arguments about Ship-money rose the great question which had risen behind the legal arguments about Tonnage and Poundage: Was Parliament a constituent part of the Government or not? Could it use its rights in order to force its policy upon the King, or was the King justified in falling back upon his ancient and more than his ancient prerogative, in order to maintain his own policy in spite of the objections of his subjects? In plain words, the question was whether the King or Parliament was to be supreme in the State. And this broad view of the case would force itself more and more plainly on the eyes of all men. Lawyers might declaim about the prerogatives of the Crown as they had been handed down from the Middle Ages. Common sense would teach the mass of the nation that the practical extent of the prerogative had by no means coincided with its theoretical extent, and that there had been all sorts of regular and irregular influences by which it had been kept in check, which might not

come within the purview of the Judges, but which it was the duty of the existing generation of Englishmen to refurbish or to replace.

Where was the danger?

Surely Charles was right, in a sense higher than he thought, in judging that danger was abroad. But it was not a danger from a foreign enemy. It lay in the rending asunder of the old ties which in old days had bound the Kings of England to the hearts of their subjects, and against this danger neither Ship-money nor ships themselves would be of any avail.

Aug. Prospects of the fleet.

If, however, the second fleet should return to harbour after rendering as little service as the first, it would simply be because no Continental power thought Charles's alliance worth buying at his own price.

Charles's offers to Spain and the Emperor.

Immediately after the issue of the writs, he assured the Spanish Government that if they were still ready to find the money, he was ready to go on with the treaty of the preceding year. Taylor too, who was about to set out for Vienna, was directed to offer to the Emperor the alliance of England if he would give satisfaction in respect to the Palatinate.[1] As before, negotiations with France accompanied negotiations with Spain. The Queen, in her husband's name, urged Seneterre to take up the broken thread once more. Seneterre answered drily, that it would be better for him to hold his peace than again to go through the form of exchanging words without a meaning.

Sept. Richelieu's overtures.

Richelieu decided otherwise. If Charles would simply engage to abstain from helping Spain, would lend his fleet to his nephew, and would allow Lewis to levy volunteers in his dominions, France would engage not to make peace without the restitution of the Palatinate, though the question of the Electorate was to be re-

[1] Instructions to Aston and Taylor, Aug. 15. *Clar. St. P.* ii. 366, 310.

CHAP. XI. 1635.

served for the final determination of the Electors.[1] Seneterre saw clearly what Charles's real wishes were. He wanted everything to be done for him, whilst he himself did little or nothing. "If," he wrote, "the war could be eternal, and if both we and the Spaniards could be equally ruined, it would be the joy of his heart."[2] Charles, as it proved, had nothing but fault to find with the proposals made to him. But he had a counter-proposal of his own. As the Emperor had seized the Palatinate, France had seized Lorraine. Let the Emperor and France make restitution of their prey, and peace would be restored. He would himself be ready to shew favour to that power which was the first to give way. Seneterre positively refused to transmit such a project to his master, and Charles was obliged to send it through his own ambassador. Richelieu did not even think the suggestion worthy of a reply.[3]

Oct. 21. Charles proposes a mutual exchange of Lorraine and the Palatinate.

The formal justice of the arrangement had taken possession of Charles's mind. He did not see that a question of territory cannot be decided as a right to an estate is decided. If one landowner is adjudged to surrender a field to another, the loss sustained by him is limited to the actual diminution of his estate. The same authority which has deprived him of part of his possessions will secure him in the enjoyment of the rest. There is no authority in existence to prevent a State which has acquired land by conquest or cession from using it as a vantage ground from which to carry on a further attack. If Ferdinand were to restore the Palatinate to the young Charles Lewis, who was to

[1] Seneterre to Bouthillier, Aug. $\frac{5}{14}$. Memoir for Seneterre, Sept. $\frac{16}{26}$. *Bibl. Nat.* Fr. 15, 993.

[2] Seneterre to Bouthillier, $\frac{\text{Sept. } 30}{\text{Oct. } 10}$. *Ibid.*

[3] Proposition of the King, Oct. $\frac{21}{31}$. Seneterre to Bouthillier. Nov. $\frac{5}{15}$. *Ibid.*

assure him that the Palatinate would not again become a focus of intrigue against the Emperor? If Lewis were to restore Lorraine to its own Duke, who was to assure him that Lorraine would not again become a focus of intrigue against France? If indeed France and the Empire could lay aside all hostile intentions, it would matter little what petty prince were in command at Heidelberg or at Nancy. But the real quarrel was between France and Spain, and Charles's proposal did not even attempt to remove the causes which had brought about the war between the two Western monarchies.

1635. Oct.

The plan suggested by the Queen.

The scheme had in fact been suggested to Charles by the Queen. It originated in aims which were purely personal. She wanted on the one hand to be on good terms with Richelieu, in order to obtain from him the liberation of the Chevalier de Jars, and to secure by a peace her mother's return to France and the restitution of the Duchess of Chevreuse to Parisian life, whilst the restoration of the Duke of Lorraine would complete the circle of her mother's friends. For once the impulsive personal feelings of the Queen were in accord with the cold formal judgment of her husband. One had just as little hold as the other on the realities of life. Her confidant Holland urged Seneterre to accept the plan, not because it was likely to effect a peace, but because the Emperor was sure to refuse to fulfil his part of the bargain, and Charles would then throw himself into the arms of France from pique at the refusal.[1]

Nov.

Nov. 21. The Elector Palatine in England.

In the midst of these intrigues, the young Elector Palatine suddenly made his appearance at the English Court. Elizabeth trusted that her son's innocent boyish face would work wonders at Whitehall. Charles

[1] Seneterre to Bouthillier, Nov. $\frac{11}{21}$. *Bibl. Nat.* Fr. 15,993.

CHAP. XI.

1635.

had given his consent to the visit, and both he and the Queen received the lad with the most affectionate welcome. But the cause which he came to plead was injured rather than advanced by his presence. Already, in the Netherlands, Elizabeth had quarrelled with Charnacé, the French ambassador at the Hague, for refusing to give the title of Electoral Highness to her son. To allow the insult to pass unchallenged was, she said, to acknowledge her husband to have been legally proscribed. "Believe me," she declared to the ambassador, "neither fair means nor foul shall ever make me do anything that shall give the least touch to the King my husband's honour; I will sooner see all my children lie dead before me rather than do it, and if any of them be so desperate as to consent to any such thing, I will give them my curse."[1] A demand which sat well on the lips of a high-spirited widow might accord ill with the exigencies of a statesman. But Charles was as resolute as his sister had been. The French ambassadors replied that they were quite ready to address his nephew as his Highness, but that they could not style him his Electoral Highness. Their Government supported them in their refusal. The King of France had deliberately announced his intention of referring the question of the Palatine Electorate to the decision of the Electors, and he knew better than to raise up enemies in Germany for the shadowy chance of making an ally of Charles.[2]

Nov. The French asked to acknowledge his title.

They refuse to do so.

Dec. 1. Necolalde gives the title.

Necolalde saw his opportunity. He knew perfectly well that none of the allies of Spain were likely to take offence at any words which he might employ for the purpose of hoodwinking the King of England. He

[1] Boswell to the King, March. *S. P. Holland.*

[2] Seneterre to Bouthillier, $\frac{\text{Nov. 26}}{\text{Dec. 5}}$. Bouthillier to Seneterre, $\frac{\text{Nov. 27}}{\text{Dec. 7}}$. *Bibl. Nat.* Fr. 15,993.

asked for an audience, and addressed Charles Lewis in a loud and deliberate voice as "Your Electoral Highness." He proceeded to congratulate him in having left a rebellious country, and to assure him that his interests were better attended to in Spain than he imagined.[1]

Charles turns against the French.

Necolalde gained his object. Charles stiffly rejected all proposals made to him by the French. At a meeting of the Committee of Foreign Affairs he openly spoke of Seneterre as a cheat. Hamilton truly said that Necolalde only spoke as a courtier. "I esteem him all the more," replied the King, "for his courtesy and good-will. He behaves like a Spaniard, and the Spaniards are my friends on whom I can rely. All the rest is deception and villainy. I thank God that I have been so much the master of myself that, with continual temptations for two years, I have not given way to those who prefer dissension and hostility in Christendom to peace."[2]

Money sent to Flanders.

That Charles would render any real service to peace might be doubted. For the present, at least, he was giving immense help to one party in the war. A ship of the navy which had convoyed his ambassador to Spain returned with 100,000*l.* in Spanish coin, and landed it safely at Dunkirk for the payment of the Cardinal Infant's army.[3]

Nov. 12. Taylor at Vienna.

In the meanwhile Taylor had been taking his journey to learn whether the Palatinate was to drop into Charles's lap or no. On November 12 he arrived at Vienna. "Germany," he wrote, "the greatest and whilom the fairest country of Europe, is now the most miserable, and looks hideous to the eye... From Cologne

[1] Correr's despatch, Dec. $\frac{11}{21}$. *Ven. MSS.*

[2] Necolalde to the Cardinal Infant, Dec. $\frac{4}{14}$. *Brussels MSS.* I can only give the translation of a translation.

[3] Windebank to Hopton, Dec. 20. *Clar. St. P.* i. 389.

CHAP. XI.

1635. Nov.

unto Passau I saw nothing but desolation; the people being almost dead, and no corn sown for next year, so that it is feared that even those few that survive will perish through famine and hunger."

Dec. The Emperor gives hopes.

Taylor, himself a Roman Catholic, and half a Spaniard by birth, felt too little interest in the cause which he had come to advocate to be otherwise than hopeful of success. "The Emperor," he wrote, "hath again, at the King's request, set open the gates of his mercy;" he would doubtless restore the Lower Palatinate, and everything else would follow in due time.

1636. Jan. Taylor thinks well of the prospect.

According to his instructions, Taylor held out hopes of a league between his master and the House of Austria. The idea, he reported, was favourably received. Even Maximilian of Bavaria had talked of giving up such lands as he held in the Lower Palatinate. If only the young heir would visit Vienna and marry the Emperor's daughter, and if the English fleet were really used for an attack upon France, some concessions might be made in Germany.[1] On January 4 the Emperor formally declared that if the Count Palatine would engage to enter into a close alliance with the House of Austria and would make proper submission, he should be placed in possession of a 'not contemptible' part of the lands formerly held by his father. Anything further must be the subject of direct negotiation with the King of England.[2]

Feb. 14. The Emperor's offer.

March. Arundel to go to Germany.

Did Charles really mean to accept such terms as these? Was the influence of the Palatine House, whatever it might be, to be thrown into the scale of Spain and the Emperor? Was the new Ship-money

[1] Taylor to Windebank, Nov. $\frac{18}{28}$, Dec. $\frac{5}{15}$, $\frac{19}{29}$, $\frac{\text{Dec. } 29}{\text{Jan. } 2}$. The Emperor's Answer, Jan. $\frac{14}{24}$. Taylor to Cottington, Jan. $\frac{20}{30}$. *Clar. St. P.* i. 369, 373, 375, 394, 434, 432. Taylor to Coke, Jan. $\frac{16}{26}$. *S. P. Germany.*

[2] The Emperor's answer, Feb. $\frac{14}{24}$. *Clar. St. P.* i. 461.

fleet to be employed in an unjustifiable war with France for a simply dynastic object? Charles could not make up his mind. He had now two nephews by his side pleading with him to treat the Emperor's overtures with contempt. Rupert, ardent and boisterous, had come to join his more sedate elder brother. Charles was half inclined to think they were in the right. But in the end he resolved to send a more formal embassy to Vienna to obtain a definite resolution from the Emperor, and he selected the stately Arundel for the task.

Payment of Ship-money enforced.

Uncertain as Charles was as to the use to which the new fleet was to be put, he had no hesitation in enforcing the payment of the ship-money by which it was to be equipped. At the end of January 119,000*l.* had been paid. At the end of March the sum received amounted to 156,000*l.*[1] But there were still considerable arrears, and even this amount had not been gathered without difficulty. On February 11, for instance, Sir Peter Wentworth had collected 1,600*l.* in Oxfordshire, leaving 1,900*l.* unpaid. Failing to get assistance from the constables, he had been compelled to make the assessment himself.[2] Sir Francis Norris, who succeeded him as Sheriff, found that in some parts of the county the assessments had still to be made. Warrants were sent to the incumbents of the parishes, to the churchwardens, overseers, and constables, calling on them to produce their books. They utterly refused to do anything of the kind; and the Council, true to its policy of throwing all responsibility on the Sheriff, ordered Norris sharply to make the assessment by his own officers, sending the refractory constables to the

Difficulties in Oxfordshire.

[1] *S. P. Dom.* cccxii. 76, ccxvii. 41.

[2] Receipt, Feb. 11. Wentworth to the Council, Feb. 12. *S. P. Dom.* cccxiii. 89, 93.

CHAP XI.

1636.

Council to answer for themselves. Even when the assessments had been made, resistance did not come to an end. At Stoke Newington the constable and another of the inhabitants wrote to the Sheriff that no money should be gathered in the parish till he informed them of some law or statute binding them thereto. It was a brave answer; but the two men had not the courage to deliver it themselves. They sent their letter by the hands of a poor tailor. Norris, goaded past endurance, seized upon the unlucky messenger and sent him to London. There he remained in prison for some time, protesting, probably in all sincerity, that he was entirely ignorant of the contents of the letter with which he had been entrusted. The Privy Council did not hold that the seizure of the tailor excused the Sheriff. Nor were they influenced by his assurances that the resistance was stirred up by persons of high quality in the county. They replied that if such were the case those persons ought to be called to account. It was Norris's business to make the assessment, beginning with men of the highest rank. If the incumbents or churchwardens refused to shew their books, they might be required to enter into bonds to appear before the Council, and if they refused to do this they might be committed to prison. If, as frequently happened, no one could be found in the county willing to buy cattle taken by distraint from those who refused to pay, the animals were to be sent to London to be sold by the King's officers.[1] All that Sheriff or Council could do, however, availed but little. Of the 1,900*l.* outstanding in February, only 100*l.* had been collected

March.

April.

May.

[1] Norris to the Council, March 11. The Council to Norris, March 22. Return by French and Roberts, Apr. 14. Willett's petition, Apr.? *S. P. Dom.* cccxv. 133; cccxvi. 92; cccxviii. 75; cccxix. 108. The Council to Norris, May 5. *Council Register.*

in the end of June, and at the beginning of October only an additional 200*l.* had been paid.

June. General resistance.

No doubt Oxfordshire was in some respects an exceptional county. Lord Saye was always at hand, and, though no direct evidence is to be had, there can be little doubt that he encouraged the resistance. But many other counties were not much better disposed to submit. The Register of the Privy Council is crowded with letters urging the Sheriffs to do their duty. In London Richard Chambers, untamed by the fine and imprisonment which had been inflicted on him on account of his resistance to the payment of Tonnage and Poundage, manfully carried the question of right before the Court of King's Bench. The Judges would not even allow the question to be argued. Justice Berkeley said 'that there was a rule of law and a rule of government, and that many things which might not be done by the rule of law might be done by the rule of government.'[1]

Chambers appeals to the King's Bench.

The Court refuses to hear him.

It was hardly possible to render a worse service to the Crown than to proclaim openly from the Bench that Charles's rule was bound by no law. It had been an old maxim, even of the Crown lawyers, that the prerogative might be argued in Westminster Hall. Berkeley would have it placed in a higher sphere, bound by no restraints, limited by no conditions save those which the King might think right to place upon himself. The feeling that law was trodden under foot would quickly spread, and would give an imaginative force to a resistance which would be based on a higher motive than the dislike to pay a tax which had not been paid before. The belief quickly spread that far more was at stake than the payment of the few pounds or the few shillings which which were now exacted.

Importance of the doctrine laid down.

[1] *Rushw.* ii. 323.

CHAP XI. 1636. June.

"If this," wrote D'Ewes, "could be done lawfully, then, by the same right, the King, upon the like pretence, might gather the same sum ten, twelve, or a hundred times redoubled, and so to infinite proportions to any one shire, when and as often as he pleased; and so no man was, in conclusion, worth anything." [1]

Justification of the resistance.

Never was any reproach more ill founded than that which has been raised against the generation which resisted Ship-money, on the ground that their material comforts were well provided for and that the burden imposed upon them was slight. In nations, as in men, a sensitive apprehension of the consequences which will follow from causes apparently unimportant is the mark of a well-developed and highly strung organisation. It was because the English nation had learned in the course of its past history the virtues of self-reliance and perspicacity, that it was roused to indignation by an impost which was materially slight. The possibilities of future hardship, together with the present insult offered by a Government which showed no confidence in the people, and which treated them as permanently incapable of understanding their own interests, stung them to the quick.

Religious dissatisfaction.

In the summer of 1636 two years had passed away since England first learned from Coventry's mouth that Ship-money was to be paid. During those years an attack upon the religion of the majority of religious Englishmen had been running parallel with the attack upon their property. To D'Ewes, the Puritan antiquary, as to many others, 1634 was the beginning of evils.[2] It is time to see what Laud had been doing in these years to alienate the Protestantism of England.

[1] D'Ewes, *Autobiography*, ii. 131. [2] *Ibid.* ii. 119.

CHAPTER XII.

THE METROPOLITICAL VISITATION, AND PANZANI'S MISSION.

LAUD might well lament that there was little chance of seeing his principle of Thorough carried out in the administration of the Government. At the Queen's Court it was openly said that, with the single exception of the Archbishop, the whole Council might be bought for 20,000 crowns.[1] Exaggerated as the statement was, there was enough truth in it to cause sorrow to those who had the King's interests at heart. Even in Charles himself, Thorough found but little place. His wishes were all in the direction of just and equal government. But there was no self-sacrificing energy in his character, no resolute discouragement of men who were using his name to forward their own interests.

Thorough in Church and State.

In Laud's own sphere, the energy of Thorough was not wanting. His hand was everywhere. Rich and poor, high and low, alike felt its weight. If only his energy had been at the command of a broader intelligence, he would have gained a name second to none in the long list of the benefactors of the English people.

The best side of Laud's character was his grand sense of the equality of men before the law. Nothing angered him so much as the claim of a great man to escape a penalty which would fall on others. Nothing

Laud's love of equality.

[1] Panzani's report. *Add. MSS.* 15,389, fol. 99.

CHAP. XII. 1634.

brought him into such disfavour with the great as his refusal to admit that the punishment which had raised no outcry when it was meted out to the weak and helpless, should be spared in the case of the powerful and wealthy offender. If, as all men then believed, it was fitting that the village lass should expiate her sin by standing up to do penance in a white sheet in the face of the congregation of her parish church, why was the lord of the manor to pursue a career of profligacy unchecked? It was Laud's misfortune that an outrage upon good order and decency roused his anger as strongly as an outrage upon morality. He heard everywhere of men slouching into church with their hats on, lolling on the benches till they fell asleep, of churchyards left unfenced, of pigs rooting on the graves, and of churches themselves left untended. These things he determined to remedy. Nor was he content with vindicating propriety against mere indecency and disorder. The law of the Church was to be carried out to the letter even when it came into collision with the conscientious beliefs of the men with whom he had to deal. With him it was not the heart which was to pour itself out in definite forms, but the forms which were to train and discipline the heart. Men were to kneel at the reception of the Communion that they might be taught humility, to bow at the utterance of the sacred name of Jesus that they might be taught reverence.

The Metropolitical Visitation.

In order that his will might be felt beyond his own diocese, it was necessary that he should revive from the storehouse of bypast times the right of Metropolitical Visitation which had been exercised by his predecessors before the Reformation. Once in the time of his occupation of the Archiepiscopal See he was to appear in person or by deputy in every diocese of his

province, to take a survey of the state of ecclesiastical discipline, and to carry out the reforms which were needed to bring the Church and the clergy to accordance with the law of the Church. CHAP. XII. 1634.

Like the levy of Ship-money, Laud's claim rested on precedents of undoubted antiquity. Like Ship-money too, it contained the germs of a great revolution. It reduced the episcopate to a subordinate position. No doubt the Bishops had been subordinate to Elizabeth. But there was an immense difference between submission to a Queen delicately sensitive to the currents of lay opinion, and submission to an Archbishop who treated lay opinion with disdain. Relation between the Archbishops and the Bishops.

For three years, beginning at 1634, Sir Nathaniel Brent, Laud's Vicar General, went through the length and breadth of England south of the Trent, calling the clergy and the churchwardens to account, correcting disorders, and, at the worst, ordering the prosecution of the offenders in the Court of High Commission. Brent's progress.

The answer made by members of the Chapter of Salisbury Cathedral may serve as an example of the ordinary irregularities into which corporate bodies are apt to fall for want of adequate supervision. They acknowledged that they had often neglected to preach in the cathedral, as they were bound by their rules to do; that they were frequently absent from their duties, without any diminution of the revenue assigned them on condition of residence; that they divided amongst themselves the rights of presentation to benefices in their gift, and that one of their number had sold such a benefice for 70*l.*; that the choristers had not been well instructed in singing; that in the churchyard there were some houses and sheds which had long been there, though their gardens had recently been extended at the expense of the churchyard; and that Visitation of Salisbury.

CHAP. XII. 1635. April.

of late years the church had been pestered with moveable seats by which many were prevented from hearing, and the preacher was troubled with the noise of persons coming into them, whilst there were some fixed seats, not uniform in height, by which 'the beauty of the church' was 'much blemished.' There were further and more special complaints that the ornaments of the altar were deficient, and that the clergy did not wear their square caps.[1]

Brent's reports. Norwich.

A few extracts from Brent's report to the Archbishop in 1635 will serve to display still further the character of the Visitation. At Norwich he writes: "The cathedral church is much out of order. The hangings of the choir are naught, the pavement not good, the spire of the steeple is quite down, the copes are fair but want mending. The churchyard is very ill kept; . . . there is likewise a window that letteth smoke and casteth ill savour into the north side of the church. Many ministers appeared without priests' cloaks, and some of them are suspected of nonconformity, but they carried themselves so warily that nothing could then be proved against them. The mayor and his brethren came not to visit me at my coming in. Afterwards I convented them for walking indecently in the cathedral church in prayer time before the sermon, and I admonished them to forbear for the future, and an act was made of it in their presence. After this they visited me often, and gave me ample satisfaction for their former neglect, protesting that they will always be ready to desire your Grace's good opinion of them."

Swaffham.

At Swaffham there were few Puritans, 'but much drunkenness, accompanied with all such vices as usually

Lynn.

do attend upon it.' At Lynn, 'since the Court of High Commission took in hand some of their schis-

[1] House of Lords MSS. *Hist. MSS. Commission*, iv. 128.

matics, few of that fiery spirit remained there or in the parts thereabout. But there were divers Papists who spoke 'scandalously of the Scriptures and of our religion.' The three churches were well kept, except that at St. Margaret's 'the Communion-table wanted a rail, and at the upper end of the choir, instead of divine sentences of Scriptures, divers sayings out of the Fathers were painted.' In these parts 'divers parsonage-houses had been ruined and much glebe land' was 'embezzled.' At Fakenham an excommunicated Vicar continued to officiate, and many parsonage-houses were in a ruinous state. At Yarmouth, where there had been much contention about Church matters, the town was quiet, and the chief persons promised 'absolute obedience to the laws of the Church.' The magistrates, however, desired a lecturer, but objected to leave the choice of one to the Archbishop. At Bungay one of the churches was 'ruinous.' The Curate of Rumborough 'was charged with divers points of inconformity,' but 'renounced all upon his oath, and' promised to read the Declaration of Sports. 'Mr. Daines, lecturer at Beccles, a man of more than seventy years of age, did never wear the surplice nor use the cross in baptism.' Brent was 'told that all the Bishops there had tolerated him, because he' was 'a very quiet and honest man.' He now 'promised reformation.' At Ipswich Brent was received by the magistrates with great solemnity. "The town," he wrote, "is exceeding factious, and yet the better sort are conformable in a reasonable good measure. I ordered many things in the churches and churchyards. I suspended one Mr. Cave, a precise minister of St. Helen's, for giving the sacrament of the Eucharist to non-kneelants. I excommunicated divers churchwardens in that town who were so precise that they would not take their oath; but afterwards they

CHAP. XII. 1635. April.

Fakenham

Yarmouth

Ipswich.

CHAP. XII. 1635. April.

all submitted, with protestation to reform their opinions, and many do believe that a good reformation will follow. I hear that in these parts there are some that do teach that none have right to the creatures but the godly. But those who complained either could not or would not tell their names. There is but one hospital in this town, and that very well governed." At Stamford[1] the church was 'not well kept, but the minister and people very conformable. The ministers were generally in priests' cloaks, and they, with the laity, were all the time of divine service uncovered, and still bowed at the pronouncing of the blessed name of Jesus.' At Oundle the schoolmaster was admonished 'for instructing his scholars out of a wrong catechism, and for expounding the Ten Commandments unto them out of the writings of a silenced minister.' He also refused 'to bow at the name of Jesus.' Order was therefore 'taken for his suspension in case' of his persistent refusal.

Stamford.

Injuries to Church property.

It is needless to peruse Brent's diary further. Everywhere the care for the material fabrics of the churches is mixed up with the care for conformity. Other documents of the time reveal much the same state of things as that which confronts us in the report of the Vicar General. Sometimes there were cases of direct spoliation of Church property. At Wimborne, for instance, where 500*l.* a year had been assigned by Queen Elizabeth for the maintenance of the Grammar School, only 150*l.* was paid, the remainder being fraudulently appropriated by the Governors.[2] At Louth, of an income of 400*l.* a year belonging to the Free School, the schoolmaster received no more than 20*l.* At Saxby Lord Castleton's bailiff was found using the

[1] It was here that Vicars had given offence. See vol. i. p. 301.

[2] State of the school of Wimborne, June 22, 1635. *S. P. Dom.* ccxci. 28.

middle aisle of the church for melting the lead which he had stripped from the roof. Some of this lead ran through the floor into a coffin beneath. In order to recover the metal, the bailiff took up the floor and burnt the coffin, together with the corpse which it contained.[1] In the North, one Robert Brandling, being charged with adulteries, incest, and other impious profanations, turned the key of the church door upon the Ecclesiastical Court convened to try him, and kept the members of it close prisoners till he chose to let them out.[2] After this it is little to hear that the Buckinghamshire gentry, John Hampden amongst them, selected the churchyards as the fittest places in which to muster the trained bands of the county.[3]

Such cases as these offer no difficulty. If Laud had confined himself to taking care that the outward fabric and property of the church were treated with respect, and that both clergy and laity abstained from embezzling money entrusted to them for definite purposes, he would have met with no opposition of which he need have been afraid.

Various aspects of nonconformity.

It was more difficult to know how to deal with clerical nonconformity. Many instances which come before us are mere cases of brawling. Dr. Dennison, for instance, the Curate of St. Catharine Cree, was accustomed to enliven his sermons by personal abuse of his parishioners, comparing them to 'frogs, hogs, dogs, and devils.' Anthony Lapthorne, Rector of Tretire in Herefordshire, seldom read the Litany except in Lent, and when he reached the Psalms or the Lessons would go up at once into the pulpit, omitting the rest of the service. In his sermon he

[1] Note by the Chancellor of Lincoln, July 14, 1634. *S. P. Dom.* cclxxi. 82.
[2] Morton to Windebank, May 24, 1634. *Ibid.* cclxviii. 63.
[3] Brent to Farmery, Oct. 27, 1634. *Ibid.* cclxxvi. 35.

CHAP. XII. 1635.

frequently reviled some of his congregation in the presence of strangers whom he had invited to hear him, and whom he asked to assist him in praying out the devils with which his own parishioners were possessed. He spoke of the clergy generally in disrespectful terms, and those of his own neighbourhood he called idol shepherds, dumb dogs, and soul murderers. Francis Abbott, vicar of Poslingford in Suffolk, broke off the service to bring a form from the end of the church, and pulled three men violently off it. He was accustomed to point to some one or another of his congregation whenever he mentioned any particular sin. At Brigstock in Northamptonshire, a clergyman named Price scarcely ever read the Litany or the Commandments. In reading the Scriptures he omitted the name of Jesus, lest the people should take occasion to bow. He left infants unbaptised, and administered the Communion to persons sitting. He refused to read the Declaration of Sports, stopping his ears whilst it was being read by the clerk. He locked the door upon his congregation, and kept them in church to hear him preach till dark.[1] John Workman, a lecturer at Gloucester, preached that every step taken in dancing was a step towards hell; that it was little better than flat idolatry to possess the picture of the Saviour; that the election of ministers properly belonged to the people; that drunkards and debauchees who conformed were thought capable of ecclesiastical promotion, whilst others of higher merits were passed by.[2]

1634. How far was Laud's interference justified?

It is plain from these instances that Laud would have no difficulty in finding objects for the exercise of his reforming zeal. Unrestricted license to the clergy-

[1] High Commission Act Book. *S. P. Dom.* cclxi. 83, 121, 282 b, cclxxx. 54.

[2] *Ibid.* cclxi. 206. For refutation of the ordinary belief that the High Commission suspended and deprived clergymen in shoals, *see* Appendix II.

man to select what prayers he chooses, and to use what language he chooses in the pulpit, is sheer tyranny over his congregation as long as that congregation is compelled by law to attend upon his ministrations, and is also debarred by law from exercising any restraint upon his words and actions. It might be a question whether the whole ecclesiastical constitution ought to be changed or not, just as it might be a question whether the whole political constitution ought to be changed or not. But as long as either existed it was the plain duty of archbishop or king to see that the general interests of the people were not sacrificed to the self-will of persons in office in Church or State. Yet even if Laud had done no more than to put a stop to exhibitions of rudeness or ill-temper, he would probably have given unnecessary offence by his refusal to recognise the legitimacy of the maintenance of the opinion from which this unjustifiable coarseness of expression sometimes sprung. He was on still more dangerous ground in striking at practices which sprung not merely from the subversive Puritanism which aimed at the abolition of existing institutions, but at those which symbolised the Protestantism which was dear to the heart of the nation. In so doing he brought himself in collision not merely with a special form of doctrine, but with that instinctive conservatism which clings to habits of action, and which bitterly resents sudden and abrupt interference with usage, whether it come in the shape of premature anticipation of the new, or of antiquarian reproduction of the old.

He despises the conservative instinct.

Laud's enormous mistake was that he took no account whatever of this conservative feeling. He appealed in all things to the law, and to the law alone. It was nothing to him that the law had been drawn up half a century or a century before, at a time when the

CHAP. XII.

1634.

His superstitious reverence for the law.

temper of men's minds was very different from what it had become in his own day. In his reasonable dislike of a system which would take the mere self-will of a population, its ignorance, its avarice, and its irreverence as the basis of government, he refused to take its wishes and habits into account at all. If the law was broken, however obsolete it might be, it was his duty to see that it was carried out.

Difficulty of applying its rules.

With the best intentions of preserving the impartiality of his judgment, it would be impossible for Laud to act in this way with complete impartiality. No man ever succeeds in drawing out of the storehouses of accumulated law only that which he finds there. He enters upon the search equipped with his own habits of thought and his own sense of the relative importance of all that he finds. He leaves much behind him, if he carries more away, and that which he brings with him is modified in passing through his mind. How could Laud himself, the least impartial of men, fail in converting the law which he vindicated into an engine of oppression? Was he not certain to throw undue weight upon all that coincided with his own views, and to shut his eyes to all that made against them?

Order for the removal of the Communion-tables.

In this is probably to be found the explanation of the order which Laud gave to Brent to direct that the Communion-tables should everywhere be removed to the East end of the churches, and should be fenced in by a railing to secure them against profanation.[1] The order, as Laud always professed, was given for the sake of decency. Men were no longer to have the opportunity of scribbling on the table, putting

[1] Heylyn, *Cypr. Angl.* 269. The evidence of Williams that Communion-tables were not usually placed at the east end in country churches has already been given (vol. i. p. 32). Laud himself says much the same thing: 'And though it stood in most parish churches the other way,' &c. Speech at the censure of Bastwick and others, *Works*, vi. 59.

their hats on it, or sitting upon it. But the legality of the order was, to say the least of it, doubtful, and those who objected to it would be able to assert that it was only enforced in consequence of the personal decision of the King in the case of St. Gregory's, and of the personal interference of the Archbishop with the ordinary jurisdiction of the Bishops. Everybody who could read the canon under which Laud issued the order could see that a moveable table was contemplated, and it was difficult to deny that if the existing practice of a fixed table in the centre of the church was illegal, the new practice of a fixed table at the east end was also illegal. 1634.

Significance of the change.

The question of the position of the table was of little importance except so far as it served to indicate the religious feelings of those who gathered round it, or of those who had authority over them. It would be impossible to choose a better symbol of the victory of one set of ideas over another. The table standing in the centre of the church indicates a body of worshippers who gather round it to perform only one amongst other acts of devotion. The table standing at the east end indicates that they are to approach with special reverence an act of extraordinary importance. The one arrangement points distinctly in a Protestant, the other in a Catholic direction.

Of course it would be ridiculous to deduce all the religious opposition which followed from this single change. Interference in all directions gave rise to irritation in all directions. But the removal of the Communion-table undoubtedly gave special offence as bringing home to the eyes of all the conviction that Laud had entered upon a path which, as a large part of the population firmly believed, led directly to Rome, a belief which was strengthened by the knowledge that though the practice of bowing towards the east upon

CHAP. XII. 1634.

entering a church was not generally enforced, the Archbishop favoured its introduction, and even compelled its observance where, as was the case in many cathedrals, it was enjoined either by ancient statutes handed down from the Middle Ages, or by new statutes compiled, as happened at Canterbury, under his own directions.[1]

The offence given not universal.

It would be going too far to speak of the opposition roused as universal. In Elizabeth's time conformity had been a matter of theory rather than of practice, and there were doubtless not a few parishes which slipped quietly from the old faith to the new, in which the table had never been moved from its original position in the chancel. In other parishes there may have been many who, without welcoming the change, did not feel called to express any special indignation, and there must have been a still larger number of persons who, disliking what was done, were nevertheless unwilling to expose themselves to the risk of resistance to authority.

In the diocese of London the change had been enforced by Laud before his accession to the Archbishopric. It is evident from the few examples which are available that the opposition raised, important as it was, was the opposition of a minority. In the parish of St. Margaret's, Lothbury, for instance, the change was effected by one of the churchwardens in spite of the reluctance of a hesitating vestry.[2] At Ware, again, where the conduct of the Vicar, Charles Chauncey, had already been under examination by the High Commis-

Case of Chauncey at Ware.

[1] At Canterbury the rule introduced was: Singuli vero cujuscunque fuerint gradûs aut ordinis in ingressu chori divinam majestatem devotamente adorantes humiliter se inclinabunt versus altare (prout antiquis quarundam ecclesiarum statutis cautum novimus) et deinde conversi decano quoque debitam reverentiam exhibebant.

[2] Paper read by Mr. Freshfield before the Society of Antiquaries, March 26, 1876.

sion, the churchwardens summoned a meeting of the parishioners, and with the consent of the majority removed the table and railed it in. The Vicar objected strongly, declared that he would never administer the communion until the table was restored to its old place, and resigned his benefice rather than break his word. His successor found the parish rent into two factions, and the faction which opposed the change invited Chauncey to visit Ware to head them against the new Vicar. Chauncey accepted the invitation, and inveighed publicly against the innovation as a snare to the conscience and an invitation to a breach of the Second Commandment.[1] Chauncey was accordingly brought before the High Commission, and forced to sign a humble form of regret for his behaviour, including an acknowledgment that he was now persuaded that kneeling at the reception of the Communion was a lawful and commendable gesture, and that the rail round the table at Ware was a decent and convenient ornament.[1]

1634.

1635.

It was not always that the majority of the parishioners could be induced to concur in making the change. Bishop Pierce of Bath and Wells, who had led the attack upon the impugners of the Somersetshire wakes, was now foremost in the removal of the tables. The churchwardens of Beckington resolutely refused to obey, and were excommunicated by the Bishop for their refusal. They appealed in vain to the Court of Arches, and a petition to Laud for relief naturally remained without effect. A petition to the King was equally fruitless. The churchwardens were thrown into prison as excommunicated persons. There they remained for a year, and were only released on engaging to acknowledge publicly in Beckington church, and

1634. Case of Beckington.

1636.

1637.

[1] High Commission Act Book, Nov. 26, 1635. Feb. 11, 1636. *S. P. Dom.*.cclxi. 298 b, cccxxiv. 5. Prynne, *Cant. Doom*, 94.

CHAP. XII. 1635.

in two other churches of the diocese, that they had grievously offended the Divine Majesty of Almighty God and the laws ecclesiastical of the realm.[1]

Laud's dangerous victory.

Laud had his way. Parish after parish submitted more or less willingly to his command. But in the minds of thousands of peaceful law-abiding men there grew up an enduring sense of wrong, a fixed belief that, as in the case of Ship-money, that was being promulgated as law which was not law, and that under the cloak of providing for decency an effort was being made to bring England back as soon as an opportunity occurred under the Papal yoke. These men might be but a minority amongst the population, but they were an energetic and intelligent minority, and they would soon be reinforced by those who cared little for religious changes, but who on various grounds objected to the payment of Ship-money. A combination between those who are in earnest about preserving their accustomed forms of worship, and those who are in earnest about keeping their money in their pockets, is one which no Government can afford to despise.

1634. His unsympathising nature.

Great as was the offence which Laud gave by strictness in enforcing the one-sided interpretation of the law which, in his eyes, stood in the place of the law itself, he perhaps gave quite as much offence by the hard and unsympathising temper with which he approached those whose views of life differed from his own. Without geniality himself he could not appreciate geniality in others, and he required that all men should so frame their speech as to avoid shattering that delicate framework of ceremony and discipline over which he was so anxiously watching. The principle from which he started of allowing freedom of thought without freedom of speech was bearing its bitter fruits. Speech was

[1] Prynne, *Cant. Doom*, 97.

bursting forth on every side, no longer against an abstract theological doctrine, but against the very edifice which he was building up, and which threatened to catch fire on every side before he could tread out the sparks by which it was endangered. 1634.

Samuel Ward of Ipswich.

No better evidence can be found of the real weakness of Laud's position than his treatment of Samuel Ward of Ipswich. Placed for many years in a county distinguished by its strong Puritan leanings, Ward had gained the ear of his fellow-townsmen by his earnestness and sincerity as well as by his excellence as a preacher. He declared the Puritan gospel, but he was content to accept the Prayer-book as it stood, and was thoroughly loyal to the institutions of his country in Church and State. Even in the midst of the violent outcry against Buckingham which was almost universal in the first years of the reign, he preserved his respect for the King's minister, and was able to declare with a safe conscience that 'in the midst of vulgar rumours' he had 'prayed heartily for his prosperity.'[1]

1626. His loyalty.

1633. His feeling changes.

Laud's proceedings in the diocese of London gave the first shock to his feelings. The strict enquiry into the observance of forms without a corresponding interest in the manifestations of spiritual life seemed to him of evil augury. In 1633 we hear of his 'melancholy fits';[2] whilst he is charged by an adversary with preaching against set forms of prayer, and with suggesting to his congregation the possibility of an alteration of religion.[3] The charge, as would appear from subsequent proceedings, was wholly or in part exaggerated, and it is possible that a desire to clear himself from these imputations may have had something

1634.

[1] Ward to Nicholas, Oct. 1626. *S. P. Dom.* xxxviii. 20.
[2] Peters to Phelips, June 26, 1633. *Ibid.* ccxii. 52.
[3] Dod to Laud, Feb. 4, 1634. *Ibid.* cclx. 17.

CHAP. XII. 1634.

to do with the fact that he undertook about this time the prosecution before the High Commission of three persons charged with antinomian opinions.[1] If so the penalty for his offence followed sharply on its commission. In November 1634 he was summoned before the Council, and that body ordered proceedings to be taken against him in the High Commission.[2]

Nov. He is prosecuted in the High Commission.

Passages culled by hostile eagerness from a series of sermons spread over a long course of years and related from memory might easily be brought to show that Ward was hostile to the existing system, and even that he inspirited his hearers to stand on their defence against it. But it was not proved that he had committed any open breach of the canons of the Church. He had, indeed, argued that extempore prayer was lawful, but he had acknowledged that set forms of prayer were also lawful, though he had shown that he thought that extempore prayers were better than those which were read out of a book. It was impossible, he had said, for any one to carry about with him a manual of prayer which would be suitable for all occasions. He had even declared that a parrot might be instructed to repeat set forms, and that an ape might be taught to bow and gesticulate. Then had come an expression of belief that the Church was ready to ring the changes in matter of discipline. There had been more of the same sort, and though he denied that his words were correctly reported, or that even when correctly reported they were incapable of a favourable explanation, there can be no doubt that he had used expressions derogatory to the ceremonial worship which was being imposed on the Church.[3] As he refused to acknowledge

[1] High Commission Act Book, Oct. 30, 1634. *S. P. Dom.* cclxii. 105.

[2] *Council Register*, Nov. 7. High Commission Act Book. *S. P. Dom.* cclxi. 124 b.

[3] The papers relating to this case have been printed in the Preface of Bruce's *Calendar of Domestic State Papers*, 1635-6.

1635. Ward's sentence.

the truth of the charges against him in the form laid down for him to sign, though he was willing to admit that the Court was justified in sentencing him by the evidence before it, he was sent to prison as contumacious. His congregation testified their respect for him by refusing for some time to appoint a minister in his place, and by continuing, after his death in 1640, to his widow and his eldest son the payment which they had been accustomed to make him.

Importance of the case.

The proceedings against Ward are of special interest as indicating the limit to which the Court of High Commission was prepared to go. No one who has studied its records will speak of it as a barbarous or even as a cruel tribunal. Its chief characteristic was its fixity of aim, and the resoluteness with which disobedience to its orders was overcome, though not without considerable moderation in the treatment of individual offenders who showed an inclination to give way before the pressure put upon them. It now appeared that the Court of which Laud was the soul would not be content with obedience. At least in public there must be no criticism of the system which it imposed upon the clergy. Such a result was but the logical consequence of Laud's conception of a Church. If the living spiritual forces moving in the hearts of men were not to be taken into account, a clergyman could no more be permitted to call in question the rules under which he lived than a colonel can be permitted to call in question the regulations of the army in the face of his regiment. It was because this conception was in itself a false one, not because the mode in which it was carried out was harsh and tyrannical, that Laud went astray. His system left no place for the infinite varieties of the human mind, and looked with horror upon the irregular action of individual life. The pulsations of the religious heart

CHAP. XII. 1635.

of England were too vigorous to be thus controlled. They called for a form of discipline more flexible, and less restricted to the expression of a single mood. Orderly freedom of speech and thought was the only remedy for the disease from which the English Church was suffering, and unfortunately Laud was never able to comprehend that freedom was more than another name for disorder.

1634. The foreign Churches.

Such a man, in such a position, needed to be constantly on the watch. The edifice which he was rearing was of so artificial a character that he dared not withdraw his eye from it for an instant. He had recently brought his authority to bear on the Presbyterianism of English merchants and English soldiers residing in the Netherlands, lest the contamination should spread to their native country. He now brought his authority to bear on foreigners resident in England. Elizabeth had made no scruple in permitting the industrious French and Dutch refugees who fled from the axe and faggot to worship God in their own language and in their own fashion, and neither she nor James had interfered with their children because they continued to use the form of prayer to which their fathers had been accustomed in the land of their birth. Laud thought otherwise. He announced indeed his intention of permitting those persons who had been born abroad to continue to pray in their own language in churches of their own, provided that they consented to employ a translation of the English Prayer-book. But he held that their sons and daughters, born in England, were clearly Englishmen, and he announced to them that they would be expected to attend the parish church.[1] In vain the Englishmen amongst whom these children of a

[1] Minute of proceedings at Canterbury, Dec. 19, 1634. *S. P. Dom.* cclxxviii. 63.

foreign race were settled pleaded earnestly in their favour. In vain they themselves petitioned for mercy.[1] Their deputies applied to Pembroke to admit them to the presence of the King, that they might assure him of their loyalty. Pembroke, Lord Chamberlain as he was, did not venture to introduce them to the Royal presence, and they were obliged to content themselves with offering their petition to Charles on his way from chapel. The King took the petition, and handed it to Pembroke. All that was gained was the remission of the order for the use of the English Prayer-book by those who had been born abroad. No excuse was admitted on behalf of those who were born in England.[2]

General irritation caused by Laud's proceedings.

Few governments would fall if they contented themselves with attacking only the devoted and the intelligent. But it is seldom that a government sufficiently blind to throw itself athwart the aims of the devoted and intelligent is clearsighted enough to spare the weakness and prejudices of the mass of mankind. It is possible that Laud might have carried his point of reducing the clergy to discipline if he had left the laity alone. It is possible that he might have succeeded in meting out equal law to the rich and poor if he had left the Puritan clergy to worship according to their conscience. As it was, he irritated all classes in turn.

Attitude of the clergy.

More especially were the country gentlemen annoyed by the attitude of superiority assumed by the clergy. Hitherto the Rector or the Vicar of the parish had not ventured to hold up his head in the presence of the county families. It was well for him if they did not cheat him of his rights, encroach upon his income, or

[1] Prynne, *Cant. Doom*, 403.

[2] Heylyn, *Cypr. Angl.* 263. Joachimi to the States General, Feb. $\frac{11}{21}$. *Add. MSS.* 17,677 O, fol. 287. Sommer to Dell, Apr. 14. *S. P. Dom.* cclxxxvi. 85.

CHAP. XII. 1635.

deprive him of the means of maintaining his church in repair. The clergyman of the parish now found himself exalted to a dignity to which he had been unaccustomed. He was the guardian of the morals of his parish, whose business it was to enforce ecclesiastical rules on the laity, to see that they did not eat meat in Lent without a certificate, or did not send their carts across the churchyard. In any difference between the clergyman and the squire, the clergyman knew that he was certain of a favourable hearing with the Archbishop, and that there would be a presumption at Whitehall that he was in the right and his opponent in the wrong. When the Government needed information upon which it could depend, it was increasingly in the habit of applying to the Bishop or the Rector, and of framing its action in conformity with the information it thus obtained. The country gentlemen had long been made to feel that they were overshadowed by the officers of the Crown. They were now made to feel that they were overshadowed by the incumbents of their own parishes.

Gentlemen before the High Commission.

The feeling thus engendered served to intensify the mortification caused by the impartial strictness of the Ecclesiastical Courts. Clarendon's description of Laud tells but part of the truth, as he shrinks from admitting that the Archbishop's unpopularity arose in any way from his antagonism to men of high religious principle. But as far as it goes, it is drawn from the life. "He did court persons too little," wrote Clarendon, "nor cared to make his designs and purposes appear as candid[1] as they were, by shewing them in any other dress than their own natural beauty and roughness; and did not consider enough what men said, or were like to say of him. If the faults and vices

[1] *i.e.* as white or pure.

were fit to be looked into and discovered, let the persons be who they would that were guilty of them, they were sure to find no connivance or favour from him. He intended the discipline of the Church should be felt as well as spoken of, and that it should be applied to the greatest and most splendid transgressors, as well as to the punishment of smaller offences and meaner offenders; and thereupon called for or cherished the discovery of those who were not careful to cover their own iniquities, thinking they were above the reach of other men, or their power or will to chastise. Persons of honour and great quality, of the Court and of the Country, were every day cited into the High Commission Court upon the fame of their incontinence or other scandal in their lives, and were there prosecuted to their shame and punishment; and as the shame—which they called the insolent triumph upon their degree and quality, and levelling them with the common people—was never forgotten, but watched for revenge; so the fines imposed were the more questioned and repined against, because they were assigned to the rebuilding and repairing St. Paul's Church and thought therefore to be the more severely imposed and less compassionately reduced and excused."[1] Such is Clarendon's picture of a man bravely combating evil—combating too, alas, many things which were not evil at all except in his own imagination.

Shelford's *Five Discourses.*

Other causes of dissatisfaction were at work. A book which issued from the press in 1635 did much to strengthen the impression left by the Archbishop's proceedings. Shelford's *Five Discourses*[2] can hardly be said to have gone beyond the limits imposed by the English Church. But in reproving the unbecoming

[1] *Clarendon*, i. 106.

[2] *Five pious and learned Discourses*, Cambridge, 1633.

CHAP. XII. 1635.

irreverence of his Suffolk parishioners, the author spoke in words which must have given offence to others besides the men who brought their dogs into the church, who discussed the price of oxen in their pews, or expected their servants to interrupt their prayers in order to stand up to do them reverence as they passed. The verses prefixed by Crashaw, a young Cambridge poet who was as yet but pluming his wings for a higher flight, were full of defiant scorn of those who resisted the change which had come over the outward form of the churches. He boasts that now

> 'God's services no longer shall put on
> Pure sluttishness for pure religion.
> . . . . . .
> No more the hypocrite shall upright be
> Because he's stiff, and will confess no knee.

Crashaw had caught the tone of the book to which his verses formed a prelude. It was better that the Suffolk boor of higher or lower degree should bow his head and bend his knee than that he should regard the church as a house built for his own recreation; but it was not well that one who was labouring to rouse his parishioners to reverence should cast the same scorn upon those to whom the very thought was unknown, and upon those to whom the visible was but a hindrance to the uplifting of the heart in the presence of the invisible.

Baxter's reminiscences.

The mischief which men like Shelford were doing can only be appreciated in turning to the reminiscences of such a man as Richard Baxter. Baxter distinctly asserts that till 1640 he 'knew not one Presbyterian, clergyman nor lay, and but three or four nonconforming ministers.' He describes the mass of men almost exactly as Shelford describes them. "The generality," he says, "seemed to mind nothing seriously but the body and the world; they went to

church and would answer the parson in responds, and then go to dinner, and then to play; they never prayed in their families, but some of them going to bed would say over the Creed, and the Lord's Prayer, and some of them Hail Mary: all the year long, not a serious word of holy things, or the life to come, that I could hear of, proceeded from them. They read not the Scripture nor any good book or catechism. Few of them could read, or had a Bible."[1] Shelford's remedy for this was to inculcate outward reverence in the hope that inward reverence would follow, and thus to draw on the soul by the study of the Bible, of good books, and by the listening to devout and godly conversation. Baxter's remedy was to quicken their souls to a higher life by telling them of the Saviour's love. In 1635 Baxter was but in his twentieth year. He was the spiritual child of Sibbes, whose *Bruised Reed* had, after many a struggle, taught him to know his life's work. To the Puritan love of logical precision he joined a flexibility of moral imagination which hindered him from seeing the world entirely through the spectacles of fallible ratiocination. He could hold the doctrine of conversion without thinking it necessary to fix the hour and the minute of the new birth, and he could hold the main Calvinistic theories without thinking it necessary to break even yet with the Church of which he aspired to be a minister. The description which he gives of those who were taunted as Puritans was doubtless a fair description of himself. "The other sort," he says, "were such as had their consciences awakened to some regard of God and their everlasting state; and according to the various measures of their understanding, did speak and live as serious in the Christian faith, and would much enquire what was

[1] Baxter, *The true History of Councils*, 90.

CHAP. XII. 1635.

duty and what was sin, and how to please God, and to make sure of salvation; and made this their business and interest, as the rest did the world. . . . They used to pray in their families, and alone; some on the book, and some without; they would not swear nor curse, nor take God's name lightly. They feared all known sin. They would go to the next parish church to hear a sermon when they had none at their own; would read the Scripture on the Lord's day when others were playing. There were, where I lived, about the number of two or three families in twenty; and these by the rest were called Puritans, and derided as hypocrites and precisians, that would take upon them to be holy; and especially if they told anyone of his swearing, drunkenness, or ungodliness, they were made the common scorn. Yet not one of many of them ever scrupled conformity to Bishops, Liturgy, or ceremonies, and it was godly conformable ministers that they went from home to hear; and these ministers being the ablest preachers, and of more serious piety, were also the objects of the vulgar obloquy as Puritans and precisians themselves, and accordingly spoke against by many of their tribe, and envied for being preferred by godly men." [1]

In throwing scorn upon such men as these the Laudian clergy were but echoing the voices of the profligate and thoughtless crowd. It was by the mocking gibes of men like Shelford and Crashaw that the Puritans were alienated even more than by the removal of the Communion-table or the reverential gestures of some of the clergy. Men like Baxter were estranged too by the want of moral earnestness which often lay behind the fiercest polemical display. At the end of 1634, a few months after the execution of

1634. Baxter at Court.

[1] *History of Councils*, 91.

CHAP. XII.

1634.

the Star Chamber sentence upon Prynne, he found himself at Charles's Court. He had come thither in hopes of preferment, being urged by his parents to seek some more ambitious walk of life than that of a minister. For a month he remained in the house of Sir Henry Herbert, the Master of the Revels. "But," he says, "I had quickly enough of the Court; when I saw a stage-play instead of a sermon on the Lord's days in the afternoon, and saw what course was there in fashion, and heard little preaching but what was as to one part against the Puritans, I was glad to be gone."[1]

1635. First questionings about conformity.

After his return home came his first questionings about conformity. "Till this time," he writes, "I was satisfied in the matter of conformity; whilst I was young I had never been acquainted with any that were against it, or that questioned it. I had joined with the Common Prayer with as hearty fervency as after I did with other prayers. As long as I had no prejudice against it, I had no stop in my devotions from any of its imperfections. At last, at about twenty years of age, I became acquainted with Mr. Simmonds, Mr. Cradock, and other very zealous godly nonconformists in Shrewsbury and the adjoining parts, whose fervent prayers and savoury conference and holy lives did profit me much; and when I understood they were people prosecuted by the Bishops, I found much prejudice arise in my heart against those that persecuted them, and thought those that silenced and troubled such men could not be the genuine followers of the Lord of love."[2]

Stafford's *Female Glory.*

If Shelford but interpreted one side of the teaching of his Church, Anthony Stafford went far beyond it. His *Female Glory* was a biography of the Virgin, pieced out with legendary and imaginative details.

[1] *Life*, 11. [2] *Life*, 13.

CHAP. XII. 1635.

To the Puritan, and it may fairly be said, to the Protestant, the book was repulsive as ascribing honour only short of divine to a created being. Nor is it less objectionable from the self-conscious prudishness[1] of the character held up as a model of excellence beyond the reach of human imitation.

Growing fear of Rome.

The knowledge that such a book had passed the licensers' hands might easily minister food to the growing belief that the Archbishop's energy of interference could only be explained by a settled purpose of leading England in chains to the feet of the Pope. The suspicion was entirely unfounded. Laud was too serenely and imperturbably assured of the strength of his own position to look elsewhere for authority and support. But there were others who felt less secure of their ground, and opened their ears gladly to the teaching of the emissaries of Rome.

Attractions of the Catholic priests.

Of those who were influenced in this direction a few may have regarded the Anglican ceremonies as too bald or too stiff for purposes of devotion; but the greater part sought a refuge from the burden of conscientious enquiry, either because they honestly preferred peace of mind to the agitation of doubt, or because they asked for some assurance of salvation in another world which would dispense them from the necessity of following in the present life the precepts common to all Christian churches.

[1] The word is surely justifiable in face of the passage commenting on the words of the Annunciation:—"And when she saw him, she was troubled at his saying, and thought what manner of salutation that should be." It is this: "She saw herself alone with one altogether a stranger to her, whose face she neither knew nor his intent. True it is his language was smooth and even; but as fair words as these have often proceeded from a foul heart. She trembled at the salutation, thinking him to be a man subject to abhorred lust, and therefore feared violence." Compare this with the slowness with which the Isabella of *Measure for Measure* discovers that she is actually in the presence of a tempter.

Nor was the English Church herself, as she appeared under her new rulers, free from blame. Built up in the sixteenth century by men who strove to reconcile breadth of intellectual enquiry with a conservative attachment to ancient forms and habits of thought, she was taking up in the seventeenth century, under Laud's guidance, a position altogether narrower and less sympathetic. The tendency to rational enquiry was dwindling into a contempt for the freespoken, if often ignorant, promptings of the heart. "A wise and discreet sermon," wrote Shelford, "not made by every minister, but by a man of reading and discretion, right well beseemeth this holy place. Preaching is God's mouth to His people; therefore great care must be had that it be not abused either with false doctrines or unsavoury speeches. In this case St. Paul makes his exclamation, 'Who is sufficient for these things?' How this is regarded, none but the learned see. Not how well, but a sermon of the vulgar is expected."[1] If the better side of the Puritan resistance was its protest against this attempt to confine teaching to a learned oligarchy holding correct opinions, the better side of the Catholic resistance was its protest against Laud's overstrained appeal to law. If there must be uniformity, why not the uniformity of Western Christendom rather than the uniformity of a single nation? If the legitimacy of forms of worship was to be tested by their legality, why not try them by the law of centuries rather than by the recent legislation of Henry and Elizabeth? Such questioning was hard to answer, save by men in whom the broader spirit of the Reformers was living. Neither Cranmer nor Laud were without great virtues or grave faults. But whilst Cranmer's face was turned steadily forward towards the future,

[1] *i.e.* The vulgar do not ask whether the sermon be good; any sermon pleases them. *Five discourses*, 35.

CHAP. XII.

1635.

Laud's gaze was fixed in contemplation of a bygone, and to some extent, an imaginary past.

Ballad on the clergy.

A ballad of the day gives voice to the increasing feeling of dislike with which the anti-Puritan clergy were regarded. The new Churchman of the times, it was said, wore a Cardinal's cap as broad as the wheel of a cart, and a long cassock reaching to his heels. He was so hungry that he said but a short grace in his hurry to get to his meal, and he ate so much that he could not say a long grace afterwards. He swore no man was predestinated, and turned away his curates if they preached twice in a day. He hoped to be saved by good works, but never did any; and on Sundays he played at cards and dice in order to confute the formalists. He would not call himself a Protestant, but only a Christian,

"And comes out Catholic the next edition."[1]

The fear expressed in this line formed the keynote of the growing ill-temper of the nation. It was the fault of Laud's political system that every conversion to the Church of Rome acquired an exaggerated importance. The King's supremacy in Church and State had received, with Laud's approbation, the widest interpretation. It was by the King's authority that sweeping changes had been effected in the Church. Why might not the King's authority effect more sweeping changes still? No one as yet ventured to throw doubt on the sincerity of Charles's Protestantism. But the Queen was an acknowledged Catholic, and she loved, as far as her volatile nature permitted, to forward the designs of Catholics. The late Lord Treasurer had died a Catholic, and no one knew how many of the officers of State were ready to follow his example. There was a spreading apprehension of danger. The English Church, it

[1] *Rous's Diary*, 79.

was thought, might at any time be the victim of a conspiracy carried on in the very name of the King. There were many who firmly believed that of such a conspiracy Laud was the prime mover.

Position of the Catholics.

The position of the Catholics in England had been in some respects ameliorated since Charles's accession, and more especially since his quarrel with the House of Commons. The payments into the exchequer which, except in the cases of a few very wealthy persons, had been fixed by law at two-thirds of the landed property of a Recusant, were commuted for one-third to be paid by all who came forward voluntarily to claim the benefit of the King's offer.[1] The arrangement brought more money into the exchequer than had been brought before. The Recusancy fines, which had been valued at 6,000*l.* a year in 1619, were valued at 20,000*l.* in 1635. But the burden was more generally diffused, and its incidence was therefore less oppressive on individuals. Many Catholics who had not paid before paid now, whilst some Catholics who had been heavily mulcted found themselves in a better position. At the same time a check was put upon the annoyance caused by the visits of pursuivants and spies. The petty tyranny over poorer Catholics, the seizure of household furniture from those who had neither lands nor houses, was lightened, if it did not quite come to an end. Ostensibly there was no relaxation of the persecuting laws against the priests, but except in special cases they ceased to be put in force, and mass was heard in secret wherever a Catholic family was desirous of the privilege.

Divisions amongst the Catholic clergy.

One circumstance made it difficult for the Catholic clergy to take full advantage of their improved position. Ever since the end of the preceding century they

[1] The statement of Rushworth that much less was taken is examined, and shown to be incorrect, by Lingard, vii. App. III.

CHAP. XII. 1635.

had been disunited amongst themselves. On one side were the religious orders, of which the foremost was the busy and strictly disciplined Society of Jesus. On the other side were the more loosely organised secular clergy. At the end of James's reign the secular clergy had obtained from the Pope the appointment of a Bishop to subject all the clergy in England to a uniform discipline. William Bishop first, and then William Smith, were appointed to the office with the title of Bishops of Chalcedon. So bitter was the hostility of the Jesuits that they did not scruple to inform the Government of both these nominations.[1] Two proclamations, one in 1628 the other in 1629, commanded the banishment of Bishop Smith. For two years he remained hid in the house of the French ambassador, receiving visits from the Catholics who came to see him. But the pressure put on him by the Jesuits made his position untenable. In 1631 they circulated a petition to the Pope against him which they persuaded a large number of the Catholic nobility and gentry to sign. If the secular priests are to be trusted, they used the most nefarious means to accomplish their object. Many signatures to this petition were absolutely forged by them. Others were obtained by misstatements of every kind. The Jesuits asserted that if the Bishop were allowed to establish himself in England he would set up a jurisdiction of the most galling description, would take from the laity their confessors, and meddle with their private affairs. This petition was entrusted to Coloma, and soon afterwards the Bishop was withdrawn.[2]

1629. Banishment of the Bishop of Chalcedon.

1631. The Jesuits drive him away.

The natural desire of the Catholics to spread their

[1] This appears with respect to Bishop from Lingard, vii. Note K K K, and with regard to Smith from Panzani's Relation. *Add. MSS.* 15,389, fol. 99.

[2] These statements were brought to Panzani:

CHAP. XII.

1634.

religious belief found support in the Queen. Her chapel in Somerset House was open to all who chose to visit it, and though restrictions were occasionally placed by the Government upon the access of visitors, she had always sufficient influence upon her husband to obtain their removal. The Capuchins who officiated in the chapel were unwearied in visiting the sick, and in carrying the consolations of their religion to those who accepted their ministrations, and their zeal was often rewarded by conversions from Protestantism.

The Queen's chapel.

All this, though shocking in the eyes of contemporary Protestants, has nothing to call for reprobation. The special danger which had made toleration impossible for Elizabeth had passed away. The Catholics were reckoned by those who had the best means of judging at about 150,000, in the midst of a population of perhaps somewhat less than 3,000,000. Not only numbers, but moral and intellectual energy were on the side of Protestantism, unless its temper was to be softened and its strength relaxed by the weight of the Laudian discipline. Even after making every allowance for the hostile medium through which our knowledge is obtained, it cannot be doubted that the discord between the Jesuits and the secular priests worked ill for the morality of their flocks. It is from Catholic lips that we learn that the rules relating to marriage laid down by the rival fathers were hopelessly inconsistent with one another, and that one side would treat a marriage as invalid which had been pronounced valid by the other.[1] Scandal was given by the light behaviour of young priests in their intercourse with women. It is no less clear that a large proportion of the conversions made were utterly worthless. Many a nobleman was accustomed to keep in his house a Catholic priest to

Numbers of the Catholics.

Their moral position.

[1] Panzani's letter, $\frac{\text{Feb. 20}}{\text{March 2}}$, 1635. *Record Office Transcripts.*

CHAP. XII. 1634.

reconcile him on his death-bed, as Portland had been reconciled,—a practice which the more honest priests stigmatised as disgraceful, but which was the result of attributing to an act done at a death-bed a magical efficacy to wipe away the iniquity of a whole life.[1]

Danger apprehended from the Court.

The real danger arose not from the Catholic clergy, but from the Government. Everywhere men were being taught that it was their duty to submit to the King. They saw practices and customs everywhere enjoined upon them of which they had known nothing before, and they began to suspect that some deeper motive was in existence than reached their ears. They knew that language which had been unheard in the reign of Elizabeth was freely used. The clergy talked of priests and altars, sometimes of auricular confession, and of honours to be paid to saints. The inference, hasty it may be, but natural enough, was that there was a deep plot to wean the nation from its Protestantism.

Charles thinks he can make use of the Pope.

Charles had need to walk warily. Unluckily for him, he did not perceive the danger which he was running. He fancied that he could make use of the Pope for his own objects, just as he fancied that he could make use of the Kings of France and Spain.

1634. Dec. 12. Arrival of Panzani.

His first object was to obtain from the Pope a permission for his Catholic subjects to take the oath of allegiance. In December 1634, Gregorio Panzani, a priest of the Oratory, had arrived in England with a special mission from Rome to settle the disputes amongst the Catholics, and to obtain from Charles, through the influence of the Queen, an alleviation of their situation. Charles, who would not openly

[1] Compare Panzani's rejoicing that in many cases the scheme broke down by death anticipating the arrival of a priest, with the bland satisfaction of Father Cyprian de Gamache at Portland's reconciliation, in *Court and Times*, ii. 331.

receive him, appointed Windebank to hear what he had to say, and especially to ask that something might be done about the oath.[1]

Panzani and Windebank.

Panzani had every reason to be satisfied with Windebank. Morally and intellectually timid, the Secretary was thoroughly alarmed at the progress of Puritanism, and looked anxiously about for a shelter against the storm of which he could avail himself, without an absolute surrender of all the ideas which he had imbibed in his childhood and youth. By the side of Portland and Cottington he shows to advantage. If he was a weak man, he was not without a certain honesty of purpose, and if he missed the way in his searchings after truth, it was at least truth that he sought, and not pelf in this world or exemption from punishment in the other. It is easy to understand how this honesty of purpose had commended him to Laud, and how his hesitation and general weakness drew him into courses of which Laud could not approve.

Deus, Natura, Gratia.

Panzani and Windebank had not often met before they began to talk of other things besides the oath of allegiance. In 1634, Christopher Davenport, a friar who went by the name of Franciscus a Santa Clara, and who was a brother of the John Davenport who had been one of the feoffees and who had subsequently emigrated to New England, had published a book—*Deus, Natura, Gratia*, the object of which was to explain away the differences between the Church of Rome and the Church of England. Windebank and Charles himself looked hopefully to the strength which they would derive from some kind of understanding with Rome, the exact nature of which they had not defined to themselves, and Windebank was therefore shocked to hear that the Pope thought of censuring the book. Panzani listened to his expostulations, and saw a possi-

[1] Panzani's letter, Jan. $\frac{9}{19}$. *Record Office Transcripts.*

CHAP. XII. 1635.

bility of drawing over to his side men who were so well pleased to explain away the differences between the Churches. He at once took the measure of Windebank's intelligence. He wrote to Rome for a quantity of sacred pictures and artificial flowers to be distributed in presents among the King's ministers. "In this way," he explained, "we shall gain not only the men, but their wives and daughters as well."[1]

Project of a Papal agent in England.

Panzani found that the King did not welcome the idea of seeing a Catholic Bishop in England. Windebank had less objection. He wished for quiet times, and a good understanding between the King and the Pope seemed admirably suited to forward his aim. He suggested that the Pope should send an agent to reside with the Queen, who might be employed to smooth away difficulties; and that the Queen might have an agent at Rome for a similar purpose. It is hardly likely that he would have made so important an overture without directions from his master.[2]

March. Religious conversation with Windebank.

A few weeks later Windebank showed that his views of accommodation went far beyond the good offices of ambassadors. Why, he asked, could not the Church of Rome allow communion in both kinds? Panzani referred him to the works of Catholic authors to enlighten his mind. Windebank was evidently half convinced already. "If it were not," he said, "for the Jesuits and the Puritans, we should perhaps unite with Rome." Panzani told him that if so great an object was to be attained, the Pope would make no difficulty in removing the Jesuits from England.

Windebank's scheme for

Windebank would plainly have been glad to get rid of the Jesuits. With men of his temper, strength

[1] Panzani's letter, Jan. $\frac{16}{26}$. *R. O. Transcripts.*
[2] Panzani's letter, $\frac{\text{Feb. } 20}{\text{March } 2}$. *Ibid.*

of will and force of character are always annoying. As for the Puritans he ventured to suggest a splendid scheme of his own for suppressing them. The King was at that time preparing to send forth the fleet which was to be supported by the first levy of Ship-money. Why, said the Secretary, should not the King place soldiers on board the vessel under trusty commanders. He might easily find a pretext to keep some of them in London. Others he might post at other important points. In this way he might be without fear. He might weed out seditious persons from his kingdom by sending them to the wars in Flanders. The priest replied that Charles might count upon the Pope to supply him with captains, soldiers, and money. Such was the discourse which an English Secretary of State allowed himself to carry on with a foreign ecclesiastic. The year before he had been employed by Charles to contrive how the naval forces of England could be used against a friendly nation. This year he was contriving how they could be used against Englishmen. No wonder that the path which he took diverged from the path of Laud.

Suppressing the Puritans.

Panzani humoured the man with whom he had to deal, and asked him what concessions the English Church would require if it was to effect a reunion with Rome. Windebank went through the usual list. Communion in both kinds, the mass and other offices in English, and permission to the clergy to marry. Panzani listened sympathetically, but took care to promise nothing. He suggested that the last demand proceeded from the married clergy themselves. Windebank, whose own comfortable family life was not threatened, acknowledged that he himself detested the idea of the marriage of the clergy. Panzani pressed him at least to advocate liberty of conscience for the Catholics.

Terms of union with Rome discussed.

CHAP. XII.

1635.

Windebank assured him that the King would make no difficulty about that, if only the Catholics would take the oath of allegiance.[1]

March. Tone of the Court.

Panzani was not without hope that something might come of these overtures. He reported that Catholic doctrines were growing in favour with the Court. Two sermons had been preached before the King recommending sacramental confession, and the conversation had turned on the subject at the King's supper table. A lady remarked that if confession was to be introduced the clergy must not marry, lest they should tell their wives of all the sins confided to them. Panzani thought that Divine Providence was leading the English to appreciate the blessings of a celibate priesthood.[2] Windebank was not so hopeful. The King, he said, had already given permission to the Queen to send an agent to Rome, but it would take another century to effect the reunion of the Churches. If the Pope would allow the Catholics to take the oath of allegiance in a modified form, it would be a step in the right direction. Panzani, however, found that there were bad signs as well as good ones. Laud had been preaching that tradition was not to be trusted as much as the Scriptures.

The Pope will yield nothing.

Others, besides the Secretary, treated Panzani with courtesy. Arundel showed him his pictures and statues. Cottington reverently took off his hat whenever the Pope's name was mentioned. If these men expected the Pope to make concessions to the English

April

Government, they were now undeceived. Panzani had to announce that he would propose nothing about the modification of the oath, and that *Deus, Natura, Gratia* had been proscribed at Rome. The King was vexed

[1] Panzani's letter, $\frac{\text{Feb. } 27}{\text{March } 9}$. *R. O. Transcripts.*

[2] Ibid. March $\frac{18}{28}$, $\frac{20}{30}$, $\frac{\text{March } 27}{\text{Apr. } 6}$. *Ibid.*

at the news, especially as a book had lately appeared arguing on behalf of the right of subjects to depose their kings.

Windebank on Parliaments.

At this moment Portland's death had just taken place. Rumours reached Panzani that Parliament was to be summoned. The Secretary assured him that they were quite untrue. "O the great judgments of God," said Windebank. "He ever punishes men with those means by which they have offended. That pig of a Henry VIII. committed such sacrilege by profaning so many ecclesiastical benefices in order to give their goods to those who being so rewarded might stand firmly for the King in the Lower House; and now the King's greatest enemies are those who are enriched by these benefices." Cottington took the matter less seriously. "Who told you such nonsense?" he said, laughingly, when Panzani told him of his fears of a Parliament.

The Queen will not apply herself.

To some extent the Queen helped Panzani. She took the little Prince to mass, and talked the King out of his displeasure. But she could not be induced to take much trouble. She would take up warmly any special case of persecution. But constant application to business of any kind was not to be expected from her.[1]

July. Panzani's hopes.

Week by week Panzani noted in his letters various reasons for hopefulness. Carlisle told him that he was quite ready to accept all that was taught at Rome, except the claim of the Pope to depose kings. Lord Herbert of Cherbury talked to him about his contemplated History of Henry VIII., assured him that if he told the truth of that sovereign he would have little good to say of him, and that he would treat his subject as favourably as possible to the Church of Rome. He acknowledged, he said, the Roman Church

[1] Panzani's letters, $\frac{\text{March 27}}{\text{April 6}}$, Apr. $\frac{10}{20}$ $\frac{\text{Apr. 24}}{\text{May 4}}$. *R. O. Transcripts.*

CHAP. XII. 1635.

as the mother of all Churches, and would be glad to submit his book, *De Veritate*, to the judgment of the Pope. At Cambridge, a Dr. Martin, to whom Windebank recommended Panzani, showed him some pictures of saints in pontifical vestments, saying with a sigh, "Ah, when will such splendour be restored to our Church?" Walter Montague, the witty and accomplished favourite of the Queen, came to announce his departure for Rome, and his intention to become a Father of the Oratory.[1]

Sept. Windebank's hesitation.

It was not so easy to bring Windebank to the point. "It is very difficult," he said, "to leave the religion in which one has been born." "If only," he murmured, "Rome had but a little charity."[2] Before the end of October, however, a messenger from Windebank announced to Panzani that he had the King's orders to confer with him on the union with Rome.

Oct. Laud's prediction.

Laud, he added, had warned the King that if 'he wished to go to Rome, the Pope would not stir a step to meet him.'

An agent to go to Rome.

It may be that the King's expressions were exaggerated in Windebank's mouth. At all events, preparations were made for despatching an agent to reside in Rome on the Queen's behalf. Sir Robert Douglas, who was first chosen, died suddenly, and the King then selected Arthur Brett, who had once been set up by Middlesex as a rival of Buckingham. Con, a Scotchman, was named as a fitting person to represent the Pope at Somerset House.[3]

Nov. 3. Bishop Montague on the reunion.

In the beginning of November Panzani received an invitation to confer with Bishop Montague, the author of the *Appello Cæsarem*. Years had passed away since

[1] Panzani's letter, July $\frac{15}{25}$. *R. O. Transcripts.*
[2] Ibid., Sept. $\frac{2}{12}$. *Ibid.*
[3] Ibid., Oct. $\frac{14}{24}$. *Ibid.*

he had engaged in literary warfare with priests and Puritans alike. He now told Panzani 'that after reflecting deeply on the matter he confessed ingenuously that he did not know why the union should not be made, as he knew that the two Archbishops, the Bishop of London and some other Bishops, with many of the most learned clergy, held the opinions of Rome on dogma, and especially on the authority of the Pope, whom he confessed to be the Vicar of Christ, the successor of St. Peter, without whom nothing could be determined to bind the whole Church, nor could a Council be convoked.' 'He said freely,' added Panzani, 'that he believed what I believed, except transubstantiation.' The Bishop then went on to say that the best thing would be to hold a conference of deputies on both sides, to meet in France. Panzani expressed his satisfaction, but declined to write to the Pope till the proposal was made by the King or by some public minister in his name. Montague acknowledged this to be right, and promised to speak with Laud on the subject, adding, however, that Laud was 'very timid and circumspect.'[1]

Brett's instructions.

Montague ought to have known better than to have applied such epithets to Laud. Neither the Archbishop nor the King were likely to listen seriously to the scheme. But Charles did not object to play with danger in the hope of gaining something for himself. It cannot be said how far he shared Windebank's belief that it would be a great advantage to have some one to excommunicate his subjects if they proved unruly, but at all events he had hopes of bringing the Pope to help him about the Palatinate. The greater part of the instructions given to Brett related to his nephew's affairs.[2]

[1] 'Pauroso e circonspetto;' Panzani's letter, Nov. $\frac{4}{14}$. *Ibid.*

[2] Panzani's letter, Nov. $\frac{11}{21}$. *Ibid.*

CHAR. XII.

1635. Dec.

Brett's mission caused no slight commotion at Court. The King's behaviour was all the more eagerly watched. It was told how he visited the Queen's new chapel in Somerset House, gave directions about placing the pictures, and bowed reverentially as he left the building. Walter Montague's conversion became a subject of gossip, and the letter in which he announced it to his father, the Earl of Manchester, passed from hand to hand.[1]

1636. Jan. Panzani's news.

Almost every week Panzani had to write of the growing disposition at Court to regard the Catholic doctrines with favour. The Queen had promised to do her best to bring up her son as a Catholic. Goring was found reading Catholic books. Goodman, Bishop of Gloucester, said divine offices in private out of the Roman Breviary, and asked permission to keep an Italian priest to say mass secretly in his house. Cottington had been ill, and had made his usual declaration of Catholicism. Such indications were of little value independently, but they served to show how the tide was running, and they were certain to appear in the eyes of Protestants to be worth far more than they really were.[2]

Laud regains influence.

The King took alarm. He had been willing to be on friendly terms with the Pope, but he had no idea of sacrificing his ecclesiastical or political position to the See of Rome. In January Laud's influence seemed to be at an end. On the 23rd he assured Wentworth of his belief that Cottington would soon have the Treasurer's staff.[3] In February he had better hopes. The Queen was prohibited from taking the Prince with

[1] W. Montague to Manchester, Nov. 21. *S. P. Dom.* cccii. 50. Panzani's letter, Dec. $\frac{16}{26}$. *R. O. Transcripts.* Garrard to Wentworth, Dec., Jan. 8. *Straf. Letters*, i. 489, 505.

[2] Panzani's letters, Jan., Feb. *R. O. Transcripts.*

[3] Laud to Wentworth, Jan. 23. *Works*, vii. 229.

her to mass. Montague's promised meeting with Panzani was postponed.[1] Cottington found that his chances of grasping the Treasurer's staff were rapidly slipping away.

Jan. Cottington's intrigues.

As soon as it had become clear that Wentworth would not leave Ireland, Laud had selected the Bishop of London as his candidate for the vacant office. Cottington, as soon as he saw his danger, had redoubled his intrigues. He carried to Necolalde news of the latest utterances of the King in the Committee of Foreign Affairs. He flattered the Queen, and offered to do his best to forward the great scheme for the reunion of the Churches. He expressed to Seneterre his willingness to support the designs of France against Spain, as he had previously expressed to Necolalde his willingness to support the designs of Spain against France. Perhaps Charles had some inkling of his double dealing. Perhaps he shrank from entrusting an office so important to one who supported, however fitfully, the Catholic propaganda.[2]

Feb. The King resolves to make Juxon Treasurer.

At all events, he decided in favour of Juxon. The Bishop was modest and unassuming, and had shown himself to be possessed of habits of business in his management of the property of St. John's College during the time of his Presidentship. He had neither wife nor family to tempt him to amass wealth, and his honesty was beyond dispute.

Cottington and Seneterre.

As soon as Cottington knew his fate, he accepted it with his usual cheerfulness. He mystified Seneterre by assuring him that being himself too ill to attend to the duties of the office, he had recommended the Bishop as a friend of his own. The suggestion, he continued, had been accepted by Laud, who had said that he did

[1] Panzani's letters, Feb. $\frac{3}{13}$, $\frac{17}{27}$. *R. O. Transcripts.*

[2] Seneterre to Bouthillier, $\frac{\text{Jan. } 27}{\text{Feb. } 6}$. *Bibl. Nat.* Fr. 15,993.

CHAP. XII. 1636. Feb.

not care who was Treasurer as long as Cottington was not. Seneterre, who did not believe the story, replied by warm congratulations on his recovery, upon which Cottington returned his best wishes for the success of the Frenchman's diplomacy. Seneterre was fairly puzzled at his cool audacity. Was Cottington simply angling for a French pension, or did he foresee the failure of Charles's negotiations with the Emperor, and so wish to be on the winning side?[1]

March 6. Juxon Treasurer.

Language which only amused Seneterre exasperated Laud. On March 6, 1636, the Archbishop was gratified by the appointment of a Treasurer who would never make a joke or accept a bribe. In delivering the staff to Juxon, Charles explained that he needed a minister who would be 'discreet and provident for the good of his children whom God had blessed him with. Such a conscionable man, he thought, might best be found amongst the clergy.' "Among the clergy," he continued, turning to Juxon as he spoke, "I judge you, my Lord of London, the fittest, since you have no children."[2] "No churchman," noted Laud in his diary, "had it since Henry the Seventh's time. I pray God bless him to carry it so that the Church may have honour, and the King and the State service and contentment by it; and now if the Church will not hold up themselves under God, I can do no more."[3]

[1] Seneterre to Bouthillier, Feb. $\frac{5}{15}$, $\frac{10}{20}$, $\frac{\text{Feb. 24}}{\text{March 5}}$. *Bibl. Nat.* Fr. 15,993.

[2] Crosfield's Diary, in *Laud's Works*, iii. 226, note.

[3] Laud's *Works*, iii. 226. Heylyn (*Cypr. Angl.* 285), says Laud had discovered that a Treasurer could honestly make 7,000*l.* a year without defrauding the King or abusing the subject. He had also observed "that divers Treasurers of late years had raised themselves from only mean and private fortunes to the titles and estates of Earls, which he conceived could not be done without wrong to both; and therefore he resolved to commend such a man to his Majesty for the next Lord Treasurer who, having no family to raise, no wife and children to provide

CHAP. XII.

1636.

Laud's song of triumph was, in fact, a confession of weakness. Not one layman, forsooth, not even one married clergyman, to be found in England, who could be trusted as Juxon was trusted! Was this the result of Laud's great religious revival? Were Middlesex and Portland fair samples of the laity of England? Had Charles no choice between a Juxon and a Cottington?

The choice a confession of weakness.

Juxon himself made no enemies. He did his work quietly and industriously, never had a sharp word for anyone, and kept sedulously aloof from the factions into which the Court was divided. But there was loud murmuring amongst the English lords at his elevation, as there had been murmuring amongst the Scottish lords at Spottiswoode's elevation the year before. The irritation which had been stirred in the winter by the exaction of Ship-money acquired a sharper, more personal edge in the spring. The clergy, it was said, were drawing all employments into their hands. The voice which had been raised from the manor houses of every county found an echo in the presence chamber of Whitehall.[1] When the Bishops were seen riding through the streets, the bystanders would half-jestingly, half-angrily, call one another's attention to the passage of the Church triumphant.[2]

Juxon at the Treasury.

Laud was in as much danger from his friends as from his enemies. He could place a dependent at the Treasury, and he could cite Puritans before the High

Laud holds aloof from Panzani.

for, might better manage the incomes of the Treasury to the King's advantage than they had been formerly."

[1] Correr's despatch, March $\frac{11}{21}$. *Ven. MSS.* In his despatch of $\frac{\text{March } 25}{\text{Apr. } 4}$, he describes Juxon as follows:—"Certo è persona di grand' integrità, niente appassionato di alcun partito, condizione stimata molto pregiabile, non trovandosi cosi ordinariamente a tempi presenti in ogni persona."

[2] May, *Hist. of the Parliament*, 23.

CHAP. XII. 1636.

Commission. But the fatal power of enforcing silence upon others brought upon him the responsibility for all that was spoken or written against the Puritans. Both he and Juxon refused even to see Panzani, and kept themselves strictly aloof from the intrigue which was gathering round him. But he could not stop the mouths of others. Bishop Montague in a sermon preached before the King recommended that stone altars should be substituted for the Communion-tables. In his diocese, he boasted to Panzani, there was not a minister who would venture to speak against the Pope. Laud, he added, was well intentioned, but very timid. Panzani told him plainly that he must not expect Rome to change an iota of her dogmas. Montague professed that he looked for no such change, but Panzani suspected strongly that when special points came under discussion the agreement would not be found so great as the Bishop thought. Montague, he found, expected his orders to be recognised at Rome, which, as he knew very well, was a concession most unlikely to be made. Evidently the Bishop was deceiving himself if he expected to join Rome otherwise than on her own terms. He himself, however, did not see the difficulty. With the exception of Morton, Davenant, and Hall, he said, all the Bishops were enemies of the Puritans. Half jestingly, Panzani said to him that he would be a Papist one day. "What harm," he replied, "would there be in that?" As to the reunion, he had no doubt of its achievement. "I see," he said, "things insensibly improving through the promotion of moderate men."[1]

March 20. Montague's sermon.

April.

Charles and the reunion.

It is beyond doubt that in thus speaking Montague wronged the greater part of his episcopal colleagues. But that which seemed possible to him might easily seem certain to others, and Laud had to bear the blame

[1] Panzani's letter, $\frac{\text{March } 23}{\text{Apr. } 2}$, $\frac{\text{Apr. } 27}{\text{May } 7}$. *R. O. Transcripts.*

1636. April.

of extravagances which he would never have countenanced himself. Nor could he ever feel sure of the King. Doubtless he knew that Charles would not lay his crown at the feet of the Pope, or sanction an abandonment of the specific doctrines of the English Church. But it was less easy to calculate on his actions than on his aims, and nothing was more likely than that he would swerve from the straight path by sheer inability to realise the direction in which each special concession was tending. He had had no objection to talk over the reunion as something within the range of possibility, and he had welcomed heartily the notion of sending an agent to Rome in the Queen's name. Brett had fallen ill, and died in the beginning of April. A substitute was found for him in William Hamilton, a brother of the Earl of Abercorn. The selection of a Scotchman was particularly offensive to the English courtiers.[1] At the same time it was given out by Panzani that Con would come with great splendour to revive the esteem for the Papal name. The King, remarked the Venetian ambassador, would probably wish his splendour to be less conspicuous.[2]

Hamilton to go to Rome.

1624. Case of Lady Purbeck.

About the same time a circumstance occurred which showed that in matters of discipline at least, Laud could depend on the King. Long ago the marriage which James had arranged between Buckingham's brother and Frances Coke had ended in the scandal which, as in the case of Lady Essex, was the sad result of the cruelty which had bound a lively and sprightly girl to a husband who was distasteful to her. James could turn Sir John Villiers into Viscount Purbeck, but he could not make him an agreeable or sensible man. When, in a few years his weakness of mind assumed the form of ab-

[1] Panzani's letters, April $\frac{13}{23}$, May $\frac{8}{18}$. *R. O. Transcripts.*
[2] Correr's despatch, $\frac{\text{Apr. } 22}{\text{May } 2}$. *Ven. MSS.*

CHAP XII.

solute insanity, his wife left him to live in adultery with Sir Robert Howard, a younger son of Lord Treasurer Suffolk. In 1624 proceedings were commenced against her in the High Commission Court, which ended three years later in a sentence of separation from her husband and the injunction of penance to be performed for her fault. At this time, however, she eluded the authority of the Court, and it may well be believed that the officials did not show any great eagerness to expose the sister-in-law of the great Duke in a white sheet to the gaze of a London mob. Lady Purbeck soon found her way to her paramour, living with him for many years and bearing him children at his house in Shropshire.

1624. April. 1627.

1635. Her committal and escape.

In the spring of 1635 Sir Robert and the lady ventured to come to London in company. Charles, whose feelings of propriety were offended, bade Laud to abate the scandal. Lady Purbeck was accordingly arrested, thrown into the Gatehouse, and ordered by the High Commission to perform the penance which she had hitherto avoided. Before the appointed day arrived, Sir Robert had bribed the keeper of the prison, dressed his mistress in man's clothes, and sent her off in this disguise to France. The Court at once called him to account, and ordered his imprisonment till he produced the partner of his guilt. He remained in the Gatehouse till June, when he was set free upon bond not to come into her company again.[1]

1636. Feb. 8. She is summoned to England. March 7.

In February 1636 a fresh effort was made to enforce the sentence of the Court. A writ was issued commanding Lady Purbeck to return to England upon her allegiance, and Lord Scudamore, the English ambassador in Paris, was directed to serve it on her if he

[1] *Laud's Works*, iii. 392. Acts of High Commission, Ap. 16, 23, 30, June 3. *S. P. Dom.* cclxi. fol. 191, 201, 209 b, 214 b, 218.

could find her.[1] Scudamore's messenger discovered the house in which she was, and threw the box containing the writ in at the window. This barefaced attempt to serve the King of England's writ in the streets of Paris quickly drew the attention of Richelieu, and a guard of fifty archers was at once sent to offer protection. In the end, Lady Purbeck withdrew for safety to a nunnery.[2]

Efforts in her favour.

Lady Purbeck had recently announced her conversion to the Papal Church. Immediately, all the weapons in the armoury of that Church were put in use in her favour. The Duchess of Buckingham, who much to the King's disgust had recently married the young Irish Lord Dunluce, was induced to speak on her behalf, and to urge Lady Denbigh to forbear inciting the King against her erring sister-in-law. The Queen of France wrote to Henrietta Maria begging her to procure a license for Lady Purbeck's return to England, and even Cardinal Barberini wrote a similar letter, which was only kept back by Panzani after he heard that the lady had left the nunnery, and that she was therefore not to be regarded as having 'an entire reputation.'[3]

May.

June.

July.

Lady Purbeck leaves the nunnery.

Lady Purbeck, in fact, was not exactly the sort of person to find herself at home in a nunnery. She refused to conform to the regulations of the establishment. The nuns soon began to regard her with aversion. One day they omitted to provide her dinner. She resolved to leave the shelter which they had afforded to her. In July she was at large in Paris, and it was reported that Sir Robert Howard was on his way to join her.[4]

Under these circumstances Charles was firm. He

[1] Warrant, Feb. 8. *S. P. Dom.* cccxiii. 58. Coke to Scudamore, March 7. *S. P. France.*

[2] Scudamore to Coke, March 25. *Ibid.*

Panzani's letters, $\frac{\text{Apr. 27}}{\text{May 7}}$, $\frac{\text{June 28}}{\text{July 8}}$, July $\frac{19}{29}$. *R. O. Transcripts.*

[4] Scudamore to Coke, July 11. *S. P. France.*

CHAP. XII. 1636.

refused to allow Lady Purbeck to come home. For some time she continued in Paris, living in much distress.[1]

End of the Metropolitical Visitation.

In the summer of 1636 the Metropolitical Visitation was almost drawing to a close. A few months later the searching light of enquiry would have been thrown upon every diocese in England. Slothful inactivity, petulant self-will, and alas, also religious zeal and conscientious conviction, had been alike rebuked and irritated. Laud's last triumph was the allowance of his claim to include the Universities in his visitation. This claim was debated before the King and Council, and decided in his favour. As far as Oxford was concerned the victory was of slight importance. During his vigorous Chancellorship, opposition, though it still existed, had long ago been silenced. An admiring crowd of Masters and Doctors looked up to him as their patron and benefactor. In Cambridge it was far otherwise. Under the protection of their Chancellor, Holland, that University had set the Archbishop at defiance. Scholars were in the habit of attending chapel without their surplices. Some of the chapels had never been consecrated, and Laud's remonstrances had been met by the sharp answer that 'they were consecrated by faith and good conscience.' He now hoped to be able to settle all such matters in his own way in spite of Holland.[2]

June 21. His right to visit the Universities acknowledged.

June 22. The Oxford statutes.

Again and again he had shewed his affection to Oxford by presents of valuable books. A choice collection of Arabic Manuscripts in the Bodleian still bears his name. He now sent down a body of statutes for the regulation of the University, which were cheerfully accepted by Convocation. They were introduced by Secretary Coke in a speech which may fairly be re-

[1] Sir K. Digby to Conway, Jan. 21, 1637. *S. P. Dom.* cccxliv. 58.

[2] *Rushw.* iii. 324.

garded as a defiance alike of the Puritan malcontents and of the sympathisers with Rome.

1636. June 22. Coke's speech.

"That which commands in chief," he said, "is his Majesty's sovereign power. . . . . Him we all acknowledge to be our supreme governor, both of Church and Commonwealth, over all causes and persons, and to his supremacy and allegiance we are all obliged by oath. This, then, we must build upon as an axiom and fundamental rule of government, that all our laws and statutes are the King's laws, and that none can be enacted, changed, or abrogated without him; so all courts of law or equity are properly the King's courts; all justice therein administered, be it civil or martial, is the King's justice; and no pardon or grace proceeds from any but from the King. And, as of justice, so is he the source of honour; all dignities, all degrees, all titles, arms, and orders, come originally from the King as branches from the root; and not only particular men and families, but all corporations, societies, nay counties, provinces, and depending kingdoms, have all their jurisdictions and governments established by him for public good to be changed or dissolved. So his power reacheth to foreign plantations, where he may erect principalities, and make laws for their good government which no man may disobey.[1] And as in the temporal, so in the state ecclesiastical, his regal power by ancient right extendeth to the erection of bishoprics, deaneries, and cathedral churches, and to settle orders for government in all churches, by the advice of his own clergy, without any concurrence of foreign usurping power."

Coke on the results of absolute power.

Coke's speech was an assertion of absolute power flung in the face of Popes and Parliaments alike. He

[1] Probably a hit at the Massachusetts settlers, of whom more hereafter.

CHAP. XII.

1636. June 22.

proceeded to justify the authority which he claimed for Charles by the effects which it had produced. The clergy, he said, had been shielded from 'rich encroaching ministers and patrons,' churches had been built and restored, order and virtue had come back to the University. Whilst the Continent was a prey to war and starvation, England was in better case. "We sit here," said the Secretary, "thankful in true devotion for this wonderful favour towards us; we enjoy peace and plenty; we are like to those who resting in a calm haven behold the shipwreck of others, wherein we have no part, save only in compassion to help them with our prayers."[1]

Charles proposes to visit Oxford.

So spoke Sir John Coke in his self-satisfied optimism. So believed Charles and Laud. It may be that it was with some thought of proving to the world that he was not led captive by Panzani, that Charles determined to shew himself at Oxford in the midst of that University in which the standard of Anglican orthodoxy was most uncompromisingly raised.

Aug. 13. Attempt to reconcile Laud and Windebank.

The chief part of the favour shown to Oxford would fall upon Laud. Before he set out to take his place at the head of the University, Juxon made a feeble attempt to reconcile him with Windebank. He urged that it was hard to quarrel with an old friend merely because of a difference of opinion about a soap company. Windebank might surely be allowed the privilege of changing his opinions. "True," replied Laud, "but why did he not acquaint me with this alteration of judgment?"[2] It was not, in short, the thing that he had done, but the manner in which he had done it; the clinging too, Laud might have said, if he had spoken all, to men whom he judged utterly vile and selfish.

[1] *Laud's Works*, v. 126.

[2] Juxon to Windebank, Aug. 13. *S. P. Dom.* cccxxx. 33.

There could be no friendship between the man who was scheming for a reunion with Rome, and the man to whom the English Church was a model for all Churches, perfect and complete in itself.

Aug. 29. Cottington's opinion of Laud.

"That which is the worst of all, they say," Cottington had written of Laud when the quarrel was at its height, "he can never be reconciled where once he takes displeasure."[1] The same absorption in the public interest, and the same want of consideration for the feelings of others which made him regard those as private enemies who were injuring the cause which he himself upheld, made him inconsiderate of the prejudices of others, and regardless of the courtesies of life. One day young Hyde ventured to expostulate with him. 'The people,' he said, 'were universally discontented and' many 'spoke extreme ill of his Grace as the cause of all that was amiss.' Laud answered that he was sorry for it, but it was his duty to serve the King and the Church. He could not abandon them to please the people. Hyde explained that his enemies were not confined to those who were the enemies of the King and the Church. His roughness of manner was universally disliked. Two Wiltshire gentlemen, for instance, who had lately appeared before the Council on business, had been treated with respect by all the councillors but himself. Coming to him at Lambeth to discover the reason of so strange a reception, he would not even listen to their enquiries. Saying that 'he had no leisure for compliments,' he had turned hastily away. To Hyde Laud replied that he was sorry if he had appeared to be rude. But it could not be helped. "It is not possible for me," he concluded, "in the many occupations I have, to spend any time in unnecessary compliments. If my integrity and upright-

Hyde's conversation with him.

[1] Cottington to Wentworth, Aug. 4, 1635. *Straf. Letters*, i. 449.

CHAP. XII. 1636.

ness, which never shall be liable to reproach, cannot be strong enough to preserve me, I must submit to God's pleasure."[1]

Aug. 29. Laud at Oxford.

At Oxford, Laud had thrown off the cares of business, and had forgotten his enmities for a season. On the morning of the day on which the King was to arrive, the gownsmen flocked to St. John's to do homage to their Chancellor. 'Courteous he was to all, but walked most and entertained longest my Lord Cottington.' At one o'clock the bell rang, and doctors in their scarlet gowns rode forth with Laud at their head to await the King two miles from the city. The citizens, too, as in duty bound, were mustered in sombre black, bringing into the scene that element of unofficial life which as yet seemed but brute material in the hands of Laud. When the King had been welcomed and had conducted the Queen to her lodgings at Christchurch, he attended the service at the cathedral. In the evening a play was acted in the spacious and stately Christchurch Hall, which Lord Carnarvon declared to be 'the worst that ever he saw but one that he saw at Cambridge.' He was not far wrong. William Strode, the Public Orator, from whose pen it proceeded, had introduced into it the usual hits at the fraudulent feoffees, at Prynne, shorn of his ears, and at the hypocritical Puritan whose religion was a cloak for the grossest profligacy. Even at Court these topics were not quite so attractive as they would have been three years before.[2]

The King's visit.

Aug. 30.

The next morning the Elector Palatine, accompanied by his brother, Prince Rupert, was introduced to Convocation. Charles Lewis had been created a

[1] *Clarendon's Life*, i. 72.

[2] *The Floating Island* was printed in 1655, when anything written against the Puritans would find a ready sale amongst Royalists.

Master of Arts at Cambridge. Oxford, by the mouth of Laud, declared that it was beneath the dignity of one who conferred degrees at his own University of Heidelberg to receive a degree himself. If he would be pleased to nominate some persons as doctors, the University was ready to ratify his choice. He at once named thirteen. A Mastership of Arts was conferred upon Prince Rupert. Appropriate presents were made to the King's nephews. To the Elector was assigned a copy of Hooker's 'Ecclesiastical Polity,' intended perhaps as a warning against the seductions of Calvinism. His younger brother, the hot-headed and adventurous Rupert, received Cæsar's 'Commentaries.' If he had studied more deeply the lessons taught by the wariest and most self-controlled of commanders, the Civil War might have ended otherwise than it did. CHAP. XII. 1636.

As soon as the ceremony was over, Charles was taken to see the wonders of the University. The Bodleian Library claimed his special attention. He lingered there for more than an hour, and was loath to leave the place. Laud pointed to the Royal bust standing on top of the shelves, so that the library was, as it were, placed under his Majesty's protection. Then he took him to St. John's, where his own new buildings were just completed. The grey marble of which the pillars were composed brought to mind another servant, the new Lord Treasurer. To the end of his life Juxon was fond of hunting, and the pillars had been fetched from a quarry which had been discovered by the late President of the College whilst following the hounds near Woodstock. Aug. 30.

Then there was St. John's library to be visited, and a grand banquet given by the Archbishop to be partaken of. Presents of meat and game had been sent from all quarters. A good judge spoke of the entertainment The banquet.

CHAP. XVI. 1636. Aug. 30.

as a mighty feast, in days when noblemen were vying with one another in the costliness and profusion of their hospitalities. Nor were the great only invited to partake. 'His Grace had provided at his own charge sufficient to feed, nay feast all, from the highest rank of men even to the guard and footmen of both Courts.' In the afternoon there was another play; and a third, 'The Royal Slave,' by Cartwright, followed in the evening. The Queen was so pleased with it that she had it repeated some months later at Hampton Court, borrowing the dresses used at Oxford for the occasion. The next morning the Court retired to Woodstock.

Amongst the noblemen who accompanied Charles on this occasion were some who a few short years later were to take opposite sides in the civil strife. Essex bore the sword before the King, seriously and solemnly as may be imagined. Pembroke with his empty head was there too, nodding approval of the play for which as Lord Chamberlain he conceived himself to be in some sort officially responsible. Besides the lords and gentlemen in attendance, the Court was accompanied by one figure who must have seemed to many as a dark blot on the joyous scene. Panzani, just about to leave England, and to give place to Con, had come to enjoy Laud's hospitalities, and to express his astonishment at the poor figure cut by the Puritan in Strode's play.

The decorations of the chapels.

Some of the visitors found in Oxford objects of greater attraction than the plays. "The churches or chapels of all the Colleges," wrote one of them, "are much beautified; extraordinary cost bestowed on them, scarce any cathedral church, not Windsor or Canterbury, nay, not St. Paul's choir, exceeds them. Most of them new glazed; richer glass for figures and paintings I have not seen, which they had most from beyond the

CHAP. XII.

1636. Aug.

seas; excellently paved their choirs with black and white stone. Where the east end admits not glass, excellent pictures, large and great, church work of the best kind they could get from the other side, of the birth, passion, resurrection, and ascension of our blessed Saviour; all their Communion-tables fairly covered with rich carpets, hung some of them with good hangings."[1]

No enthusiasm in the city.

For Laud and his followers there was free expression of devotional religion. For the Puritan there was sharp coercion and ridicule. As yet the Puritan met the attack in gloomy silence. The enthusiasm shown at Oxford was confined to the officials of the University. Red-gowned doctors, with those immediately under their influence, and courtly youths paid their compliments in sonorous Latin. But no loud salutation rang in the ears of Charles as he passed through the streets. The scholars and the citizens were alike silent. Not a cry of "God save the King" was raised.[2] By-and-by the silence would be exchanged for shouts of hostility and anger.

[1] Garrard to Conway, Sept. 4. *S. P. Dom.* cccxxxii. 14. Wood's *Hist. Antiq. of Oxford*, ii. 408. Panzani's letter, Sept. $\frac{6}{16}$. *R. O. Transcripts.*

[2] *Wood*, ii. 408.

CHAPTER XIII.

THE EARL OF ARUNDEL'S MISSION TO VIENNA.

CHAP. XIII. 1636.

THE high language which Charles assumed at home was backed by no demonstration of physical force. The equally high language which he assumed to foreign nations was backed by the most magnificent fleet in point of size and numbers which had ever left our shores. Its setting forth had been preceded by the publication of uncompromising claims to pre-eminence put forward by the most learned of English lawyers,[1] himself one of the prime movers of the opposition in the last Parliament. That argument, now appearing in print under the title of *Mare clausum*, had been drawn up by Selden in the preceding reign at the time when James was putting forward a claim to a tribute from the Dutch fishing-boats. James, wiser than his son, had refrained from pushing his demands in the face of the irritation which they caused; and the book had been left for some years in the author's hands. It was now dragged to light by Charles. Sent to the press in the autumn of 1635,[1] it was issued to the world as a public manifesto in the following spring. One copy was laid up by the King's orders in the Court of Exchequer, another in the Court of Admiralty, whilst a third was to be preserved for the perpetual use of the

March. Selden's *Mare clausum*.

[1] Joachimi to the States General, Aug. $\frac{5}{15}$, 1635. *Add. MSS.* 17,677 O, fol. 366.

Privy Council, 'as a faithful and strong evidence to the dominion of the British seas.'[1]

CHAP. XIII.

1636.

The book thus pompously announced would meet with nothing but scorn and derision at the present day. Its very premises would be contemptuously set aside. Selden did not trouble himself to enquire whether the authority which he claimed was in accordance with the well-understood interests of England itself, to say nothing of the interests of other nations. It was enough for him to flatter the vanity of his countrymen by a long and elaborate compilation of precedents exhibiting the rights claimed over the sea by early English sovereigns. He did not stand alone in this method of treatment. He lived in an historical age when almost absolute power as well as almost republican liberty was accustomed to justify itself by appealing to the past. The sense of the continuity thus evolved was an important safeguard against rash and inconsiderate experiments in politics. But it was possible to break even that safeguard down, to clothe revolutionary aggression under the form of reverence for ancestral wisdom, and to pursue a violent and provocative policy under the appearance of adhering to tradition.

Its argument.

Such was the course upon which Charles had now entered at home and abroad. No doubt there was much that was fascinating in the splendid position which he claimed to hold amidst warring nations. As he kept the peace on land, so would he keep the peace at sea. All through the German Ocean, all through the English Channel, not a shot should be fired in anger. Merchants should ply hither and thither freely, unvexed by pirates, by blockading squadrons, or by inquisitorial searchers for contraband goods. All those belligerent rights which Charles had himself exercised so freely and so offensively in

Charles's object.

[1] Order in Council, March 26. *Rushw.* ii. 320.

CHAP. XIII.

1636. March.

the beginning of his reign were to be interdicted to the navies of Spain and France and of the Dutch Republic. He never thought of asking whether other powers would willingly admit an authority so unlimited, any more than he thought of asking whether his subjects would willingly admit the authority which he claimed at home. It was for him to lay down the law, and for others to follow. He alone was disinterested, just, and wise: all others were selfish, pugnacious, and grasping.

April 7. The Earl of Northumberland Admiral of the Fleet.

The fleet which was to maintain these exorbitant pretensions had been entrusted to a new Admiral. This time it was sent out under the command of the young Earl of Northumberland, the son of that Earl who had been a prisoner in the Tower for so many years. A courteous and high-spirited young nobleman, who took care to keep himself aloof from the factions of the Court, he was on the best terms with everybody. He was himself in friendly intercourse with Wentworth. His sister, Lady Carlisle, in spite of waning years, was still the reigning beauty at Whitehall, and his brother Henry Percy had gained a strong influence over the Queen by his light and amusing conversation. This year there was little probability that the fleet would be used in combination with Spain. Lindsey and his subordinates had found occupation in convoying Spanish vessels to Dunkirk, and had been rewarded by Necolalde for their trouble.[1] The Vice Admiral, Sir William Monson, had been a Catholic. Northumberland was ordered not to admit any officer who refused to take the oath of supremacy as well as the oath of allegiance.[2] Monson had no place in the fleet at all.

May 20. Northumberland in

Northumberland's instructions were almost identical with those of the previous year. On May 20 he

[1] Secret payments to Necolalde. *Simancas MSS.* 2564.

[2] Garrard to Wentworth, March 15. *Straf. Letters*, i. 523.

CHAP. XIII.

1636.

sailed westward from the Downs. It was known that a large French fleet had been gathering at Rochelle, that it had a considerable number of troops on board, and that it was provided with every appliance for landing on a hostile coast.[1] It was believed in England that the expedition was bound for Dunkirk, and Northumberland was directed to watch its motions. Northumberland, however, like Lindsey the year before, was unable to meet with an enemy. In Calais, Boulogne, and Dieppe, he found nothing stirring. He came across a few Dunkirk privateers on the look out for prizes, but his heavy vessels were no match for them in sailing, and it proved impossible to bring them to account for their defiance of Charles's sovereignty of the seas. An unlucky Dutch merchant vessel which had made a capture in Helford river, was seized and sent to Portsmouth with its prize. Off Portland, Northumberland gave chase to eight Dutch men-of-war. Whether Charles were sovereign of the seas or not, he could not build ships that would sail, and the Dutchmen were soon out of sight. When the fleet reached Ushant in the beginning of June, news was brought to the Admiral that the French had left Rochelle. Then came a false rumour that they had passed up the Channel. Northumberland crowded all sail in chase, and arrived in the Downs on the 24th to find that the French fleet had steered for the Mediterranean.[2]

the Channel.

June.

If French men-of-war were not to be found in the Channel, something might possibly be done with the Dutch herring-boats in the North Sea. They were

July. The Dutch herring fleet.

[1] French preparations at sea, March 30. Scudamore to Coke, May 6. *S. P. France.*

[2] Northumberland to the Lords of the Admiralty, May 23, 30, June 8, 22. *S. P. Dom.* cccxxi. 87, cccxxii. 40, cccxxv. 78, cccxxxvii. 42.

CHAP. XIII. 1636.

accustomed to meet the shoals of fish somewhere between Shetland and Buchan Ness about the second week in July, and to accompany them on their way southward as far as the coast of Norfolk.[1] Northumberland now received orders to seek out the Dutch boats, and to compel them to accept a fishing license from the King of England. A small payment was to be made, in return for which the licensed vessel was to receive a guarantee against the attacks of the Dunkirk privateers. Some two hundred of the boats, rather than lose the benefit of the season, took the licenses and paid the money.[2] Others refused to compromise the honour of their country, and it is not improbable that their sense of the dignity of the Dutch Republic was reinforced by a doubt whether the English fleet was able to secure them against the attacks of the swift-sailing Dunkirkers. The crews of those vessels which returned to Holland filled the air with their outcries. An angry feeling against Charles grew up beyond the North Sea. The Dutch ambassador was instructed to remonstrate sharply. Charles replied that if he chose to insist on his rights he might chase their vessels from the sea. It was his exceeding kindness to offer them protection. Sooner than surrender his dominion over the sea, he would give up England itself.[3]

Aug.

Small results.

It would hardly be fair to say that the second Ship-money fleet had effected absolutely nothing. It is not improbable that but for its existence the French Admiral would have directed his course to the Channel

[1] Northumberland to the Lords of the Admiralty, June 28. *S. P. Dom.* cccxxvii. 93.

[2] Northumberland to Windebank, Aug. 16. *Ibid.* cccxxxv. 41.

[3] Boswell to Windebank, Aug. 9, Beveren's memorial, Aug. 20. Joachimi to the King, Aug. 25. Answer of the King's Commissioners, Aug. 30. *S. P. Holland.*

and not to the Mediterranean. But at least it had done nothing positive, nothing that was likely to convince those who were not convinced already that there had been any adequate reason for the unwonted pressure which had been put upon the country in order to send it forth.

In his warlike preparations Charles had aimed at petty objects by means disproportionately great. In his diplomacy he aimed at the greatest objects by means disproportionately small. His fleet was too powerful to be employed to enforce the lowering of a few flags or the payment of a few shillings by the Dutch fishermen. It was not powerful enough to enable him to regain the Palatinate.

April 1. Arundel's instructions.

When Arundel's instructions had been framed in April, he was ordered to be content with nothing short of a direct engagement from the Emperor to restore the territory, and to enter into arrangements for the subsequent restoration of the title. Charles's offers in return were couched in terms far less precise than his demands. "In general," he wrote, "you must take heed not to engage us by any confederation into an actual war, or to any breach of peace or violation of our treaties with our neighbours and allies; yet, upon a full restitution of our nephew's dignities and estates, we will be contented to join with the Emperor and his House in a strict league for the common peace, and to that end will interpose our mediation and credit with all the Princes and States of our profession in religion within the Empire, to persuade them to submit to the Emperor, and accept peace, to be made upon such just and equal conditions as at the next Assembly shall be agreed on for the honour of the Emperor and good of the Empire. We will also induce our uncle the King of Denmark to join with us

CHAP. XIII.

1636.

in this work, and will treat with the Swedes to accept reasonable contentment; and will labour effectually with our neighbours the States General of the United Provinces to make peace or truce with the King of Spain and his brother the Infant Cardinal; and with France we will do the like; and with the Italian Princes our friends, as there shall be cause; and if any of all these shall refuse just and reasonable conditions and disturb the peace, we will assist the Emperor and his House as far as without breach of treaties we may be able, and to this end will maintain a powerful fleet at sea, and will suffer our people to serve him where we see cause; and all this with the consequence may very well deserve not a partial and ambiguous, but such a total and absolute restitution as we desire, and without which we shall be forced to join with some other party for the advancement of this justice and public peace, which we are unwilling to prosecute to the disadvantage of that House which we and our progenitors have so much honoured and esteemed."[1]

April 1.

Arundel sent to Vienna.

No wonder Arundel had little mind to leave his stately mansion, rich with antique statuary and gems of modern art, upon such an errand as this.[2] But Charles would hear of no excuse, and the magnificent nobleman who 'resorted sometimes to the Court, because there only was a greater man than himself, and went thither the seldomer, because there was a greater man than himself,' was compelled to go on a fool's errand across half a continent.

June. His arrival.

On his arrival he found that a new difficulty had arisen in the way of his negotiation. The Elector of Bavaria had lately married his niece, the daughter of the Emperor, and it was now known that there was a

[1] Arundel's instructions, Apr. 1. *S. P. Germany.*

[2] Panzani's despatch, $\frac{\text{March } 30}{\text{Apr. } 9}$. *R. O. Transcripts.*

prospect of a child being born to him. If it should prove a boy, he would be more loath than ever to sacrifice the acquisitions which he had made, and would be certain to oppose every suggestion that he should lessen the inheritance which he now hoped to bequeath to his descendants. Even without this, Arundel's terms were such as to cause irritation at Vienna. The alliance which he had to offer was reduced by his instructions to the merest shadow, whilst the terms which he was ordered to exact were to be the strictest possible. Both Palatinates, together with the Electoral dignity, were to be absolutely restored. The utmost concession which Arundel was empowered to make was the allowance of time for the fulfilment of part of these conditions. To make such a proposal, was to invite a rebuff. Ferdinand replied that he was ready to fulfil the engagement which he had given in February. He would give up a considerable portion of the Lower Palatinate, and would take off the ban. Arundel proudly answered that his master would not be satisfied with less than all. Maximilian said that his language sounded like a declaration of war, and scornfully asked what possible advantage was to be gained from an English alliance. An English fleet could not influence the fortunes of a campaign in Alsace. As for English soldiers, he had seen them under Vere and Hamilton, and he had no cause to fear them much. Arundel was soon made aware that he had nothing further to expect, and he hinted plainly in his despatches that he wished for nothing better than a speedy recall.[1]

To recall his ambassador would have been far too

[1] Arundel to the Emperor, June 8. Arundel to Coke, June 13, 20, 22. *S. P. Germany.* The Elector of Bavaria to the Emperor, June $\frac{20}{30}$. Khevenhiller. *Ann. Ferd.* xii. 2107.

CHAP. XIII.

1636.

simple a proceeding for Charles. As he had hoped to make the Emperor more ready to fulfil his wishes by keeping up the semblance of a negotiation with France, so he now hoped to make the King of France more ready to fufil his wishes by keeping up the semblance of a negotiation with the Emperor. "It is not thought counsellable," wrote Coke to Arundel in the King's name, "to make any open breach which may be a disadvantage to any other treaty that may be thought of for putting this business in any other way."[1]

July 20. Arundel ordered to remain.

Leicester ordered to negotiate in France.

A despatch was therefore sent off to the Earl of Leicester, who was conducting Charles's diplomacy at Paris as extraordinary ambassador. Lewis had lately made fresh overtures to Charles, pressing, as Ferdinand had pressed in February, for a league offensive and defensive in return for assistance in the recovery of the Palatinate. Leicester was to try and get the aid of Lewis on better terms. He was to say that his master was ready to allow the King of France to levy volunteers in England, to abstain from carrying men and money to the Spanish Netherlands, and to send his fleet to the defence of the French coast. Even this very moderate amount of assistance was not to be promised at once. Leicester was to take care to engage the King of France before he engaged his master. Above all, he must clearly make it understood that Charles had no intention of embarking on an open war in alliance with France.[2]

June 23. France invaded.

If ever there was a time when the French Government was inclined to curse the hollowness of Charles's professions of friendship it was now. The Cardinal Infant had resolved to return the blow which had been struck at the Netherlands the year before. On June 23

[1] Coke to Arundel, July 20. *S. P. Germany.*

[2] Leicester to Coke, July 9; Coke to Leicester, July 20. *S. P. France.*

CHAP. XIII.

1636.

the Spanish army crossed the frontier into Picardy. One fortified post after another fell into his hands. On July 22 he forced the passage of the Somme, and on August 5 he entered Corbie as a conqueror. The French troops retreated behind the Oise, and the road to the heart of France seemed to lie open to the invaders.

July.

Aug.

July. Spanish money conveyed in English ships.

It was well known in France that this attack had been assisted by English aid. The Count of Oñate, the son of the able diplomatist who had long represented Philip IV. at Vienna, had lately arrived as the ambassador of Spain in England. The English vessel in which he had taken his passage had on board a large sum of money destined for the payment of the Cardinal Infant's army, and this money was conveyed across the Straits by an order from Windebank, though the King intended it to be stopped till two-thirds of it had been converted into bills of exchange. The difference, slight in our eyes, was an important difference then, and Charles sent Windebank for a short time into confinement. The rumour was spread that both he and Cottington had been bribed by the Spanish ambassador, and Charles for a moment credited the story. His anger, however, soon cooled down, and neither the Secretary nor the Chancellor of the Exchequer felt any serious consequences of the mistake which they had committed.[1]

Aug. Leicester's difficulties.

Leicester's negotiation was not rendered more easy by the evident leaning of Charles to Spain. He told his master that in his opinion the terms he was instructed to offer were insufficient. Father Joseph, Richelieu's confidant, allowed the feelings of the French

[1] Windebank to Juxon and Cottington, July 12. Windebank to the King, Sept. 2. *Clar. St. P.* i. 588, 634. Correr's despatch, $\frac{\text{Aug. } 26}{\text{Sept. } 5}$. *Venice MSS.* Roe to Elizabeth, July 20. *S. P. Dom.* cccxxix. 21.

CHAP. XIII. 1636. Aug.

Government to be plainly seen. "We will perform all we promise," he said, "and more too, but we are not willing to be drawn on further till your master resolve; for perhaps all that you do with us you make known to the Emperor, that he may see what we have offered, and so judge us to be in great need of your assistance, and that you may obtain better conditions of the Emperor; and then you will quit us." Leicester knew how well founded these suspicions were. "Therefore," was his comment on Father Joseph's words, in writing home, "if I can at all guess at them, they must be honestly and plainly dealt with. They hold it unequal that they should be bound to continue in a war by any that will not be engaged in it."

The negotiation continued.

Charles could not deal honestly and plainly. Leicester found it hard work to clothe his master's hesitating utterances in diplomatic language. The French ministers had nothing to conceal. "We will not deceive you," they said, "and therefore do not deceive yourselves. If the King your master will have some assistance as we have offered for the recovery of his nephew's estates and dignities, we expect that he join thus in league as we have proposed; for without that we declare unto you that we can do nothing. If he will not do so, well; we are content and continue friends as we are, and leave unto the King the recovery aforesaid by his own power, or how else he shall think good, but we believe that without this he shall hardly be able to effect it." [1]

Sept. Articles discussed.

Richelieu knew his man, and contented himself with carrying on a negotiation which might serve to keep England aloof from a Spanish alliance. Articles of a treaty were accordingly drawn up and discussed. But Charles insisted that all words binding himself

[1] Leicester to Coke, Aug. 8, 16. *S. P. France.*

should be as vague as possible, and that all words binding the King of France should be as strict as possible. For all practical objects the negotiation at Paris had failed as hopelessly as the negotiation at Vienna.

1636. Sept.

By the end of September Arundel's protracted stay at the Emperor's Court had served its purpose, so far as it was possible for it to be of any avail at all, and on the 27th orders for his return were despatched.[1] Leicester remained at Paris, weaving his Penelope's web of diplomacy without Penelope's pleasure in the delay. For he was one of those who would gladly have seen the relations between England and France more intimate than he was allowed to make them.

Failure of the invasion of France.

As the weeks passed on the position of the French Government improved. All classes had cheerfully responded to Richelieu's demand upon their patriotism. Catholics and Protestants had stood shoulder to shoulder against the invaders. The Spanish onset was arrested. Lewis took the field in person to recover the ground which had been lost by his commanders. On his march he was cheered by good news from Germany. The Swedish General Baner had gained a victory at Wittstock, and was pressing forwards into the heart of Saxony. The allies of Prague had failed to dictate their will to the Empire. Before the end of the year Corbie had been regained, and the flag of Spain no longer waved over any corner of French soil. The tide which had set steadily in favour of Spain and the Empire since the day of Nördlingen was stayed at length.

Sept. 14. Battle of Wittstock.

Oct. Charles postpones his decision.

In the face of these events Charles was still wavering and uncertain. He was still taking thought how he might recover the Palatinate without striking a serious

[1] Coke to Arundel, Sept. 7. *S. P. Germany.*

CHAP. XIII. 1636. Oct.

blow. He still believed it to be impossible that both France and Spain should refuse his terms. To the urgent entreaties of his courtiers who were crying out for war, he replied that he must await the course of Leicester's negotiations. He informed his sister that he would allow her son a pension of 12,000*l.* a year, but that she must not expect more for the present. Laud was instructed to convey to her the disappointing intelligence. "To maintain a land army in Germany," he wrote, "and pursue the cause that way, his Majesty, upon most serious consideration of his estate finds neither fit nor feasible for him at the present." Laud took little interest in foreign politics. His own feelings were expressed to Wentworth. "In my judgment," he wrote, "the Earl of Leicester writes more like a councillor of France than an ambassador of England. . . . Well, so a war and the mischief which must follow be kept off, I shall care the less." [1]

It would have been well for Charles if he could have kept himself entirely clear of these foreign complications. Excepting so far as Dunkirk was concerned, no national English interest was involved in the hostilities which were raging on the Continent, and there was no longer such an issue before the world in the German war as to call upon all nations to take a side.

Strength of toleration.

The point of view from which the modern student is likely to regard the great struggle on the Continent is indeed very different from that which engaged the attention of the statesmen of Charles's reign. It mattered little to the general progress of Europe whether France should extend her frontiers in the direction of Flanders or of Alsace, or whether the Princes of Germany who had been excluded from pardon by the

[1] Laud to Elizabeth, Oct. 13; Laud to Wentworth, Nov. 15, Dec. 5. Works, vii. 289, 293, 300.

CHAP. XIII. 1636. Oct.

Peace of Prague should be allowed to retain their territories. But it mattered a good deal that the principle of toleration should be strengthened, and it is undeniable that the course of events on the Continent had been such as to favour its increased acceptance. Even the Emperor had acknowledged its power, as it was only by the revocation of the Edict of Restitution that resistance to his enemies had become possible, whilst the States General owed much of the renewal of their strength to the favour accorded to the Arminians by Frederick Henry. But it was in France that the standard of toleration had been held the highest. Richelieu had succeeded in beating back the invaders of his country because his ecclesiastical policy was precisely the opposite of that which seemed right in the eyes of Charles and Laud. They sought for strength in uniformity, and in the hope of reaching unity after a period longer or shorter of severe repression. Richelieu sought strength by frankly acknowledging the differences which existed, and by appealing to the common patriotism of those who in religious belief stood apart at a far wider distance than that which separated Laud from the most fanatical Puritan in England.

Example of French toleration.

The day would come when Richelieu's work would be shattered by a bigoted King. But it had been done not for the French nation only, but for all nations and for all time. The practical demonstration that toleration did not bring forth national weakness would not be thrown away.

It is not to be denied that the adoption of a system of toleration would have been in some respects attended with greater difficulties in England than it was in France. What was granted in France was a local toleration for those who lived in certain places. No-

CHAP. XIII. 1636. Oct.

thing of the kind would meet the requirements of England. Toleration there must be not local, but universal. The men who reverenced the Communion-table as an altar, and the men who looked upon it as a mere table to which no reverence was due, lived side by side in the same street. Here and there a few enlightened spirits, or a few sincere believers whose eyes had been opened by the persecution to which they had been exposed, might welcome the idea of mutual toleration, and the time would one day come when the light shining fitfully in the midst of darkness would kindle a great fire to burn up the houses of oppression. But it is not by new and great ideas alone that the world is saved from misery. They cannot do their work till the conditions of growth are satisfied and the seed has found its appropriate soil.

Conditions of toleration.

The main condition of toleration was the absence of fear lest toleration should be used as a means of attack upon those who granted it. The discovery that the dominant religion in France was in no danger from the assaults of the Huguenots had made toleration possible there. Laud had no such comforting assurance in England. As the leader of a governing minority, he was beset with fear that his work would crumble away the moment the strong hand of Government was withdrawn from its support. All the more tolerant maxims with which he had started [1] were stripped away from him by the falseness of his position. In proportion as his weakness grew more evident his intolerance increased. The true word and thought could not proceed from one who was occupying the ground on which he was standing. Not till a Government arose, whose ecclesiastical institutions rested on the conviction of the nation, and which could therefore afford to deal

[1] Vol. i. p. 154.

generously with the few who held divergent opinions, would the doctrine of toleration take its place amongst the accepted principles of English politics.

Chances of toleration in New England.

It is only necessary to glance at the events which were taking place in New England to acquire a conviction that intolerance was the product of fear far more than of intellectual conviction or theological hatred. It was fear which made Laud so sharp-sighted as to spy out future danger to England from the establishment of Puritanism in America, and it was fear which made those very Puritans who had fled from persecution at home ready to root out the elements of disorder in their new abodes.

1634. April 28. Colonial Commission.

Laud clearly perceived that the danger of spiritual contagion could not be confined within any geographical limits. The few hundreds of Puritans who had established themselves in Massachusetts might easily obtain an influence over those like-minded with themselves in England, whilst the hope of finding a refuge beyond the Atlantic might serve as an encouragement to the nonconformists at home. As his manner was, he went to the root of the difficulty. In April 1634, a Commission, of which he was himself the head, was appointed to take all English colonies under its control; 'to make laws, orders, and constitutions;' to establish a clergy, supported 'by tithes, oblations, and other profits;' to remove the governors and other officers, to inflict punishment, to set up ecclesiastical courts, and to call all charters in questions before a court of law, if they were found to contain privileges injurious to the Crown or to the King's prerogative.[1]

Dec. Order for limiting emigration.

In the following December the Privy Council placed further restrictions on emigration. No man of sufficient

[1] The Commission in *Hazard*, i. 344, is a reissue after Juxon became Treasurer.

CHAP. XIII.

1635.

means to be rated on the subsidy books was to go to New England without a special license from themselves, and no poorer person was to go without a certificate of conformity from the minister of his parish.[1]

April. The Council of New England surrenders its powers to the Crown.

In the following April the Council of New England, which had for many years exercised a nominal authority over the settlements, surrendered its powers to the Crown, on the understanding that the lords and gentlemen of whom it was composed should share amongst themselves the whole of the territory lying between Virginia and the French colony on the St. Lawrence. These lands they were to hold directly from the King. Before the end of the year all legal difficulties were cleared from their way. At the application of the Attorney General, the Court of King's Bench declared the Massachusetts charter to be null and void.[2]

1634. Resistance in America to the threatened changes.

Sir Ferdinando Gorges was chosen as the first Governor of the colony under this new arrangement. But even in the Privy Council voices had been raised against the impolicy of forcing the Church system of England upon the Massachusetts settlers.[3] In Massachusetts itself the whole colony prepared for resistance. In 1634, with the first news of the danger, orders were given to erect fortifications, and captains were appointed to train for military service those who were unskilled in

1635.

the use of arms. The next year still more stringent measures were adopted. Every resident was ordered to take an oath of fidelity to the local Government, and a military commission was intrusted with unlimited powers 'to do whatsoever might be behoveful for the good of the plantation in case of any war that

[1] The Commissioners to the Warden of the Cinque Ports. *Hazard*, i. 347.

[2] Palfrey, *Hist. of New England*, i. 391.

[3] Joachimi to the States General, March $\frac{17}{27}$. *Add. MSS.* 17,677 O, fol. 301.

might befall,' and even to imprison and confine any that they should judge to be enemies to the commonwealth; 'and such as would not come under command or restraint, as they should be required, it should be lawful for the Commissioners to put such persons to death.'[1]

Assumption of independent authority.

The assumption of independent authority by the colonists, and their use of it to secure the exclusive maintenance of their own creed, had caused indignation at home. The Council of New England, in surrendering its charter, complained that it was unable to control men who had 'framed unto themselves both new laws and new conceipts of matter of religion and forms of ecclesiastical and temporal orders and government, punishing divers that would not approve thereof, some by whipping, and others by burning their houses over their heads, and some by banishing and the like;[2] and all this partly under other pretences, though indeed for no other cause save only to make themselves absolutely masters of the country and unconscionable in their new laws.'

Obstacles to toleration.

Such was the view of the proceedings of the Massachusetts settlers which prevailed in the English Court. So far as it was true, the strictness of the local government is to be excused on the same ground as Laud's greater severity in England, if they are to be excused at all. Fear, much more than bigotry, was in both cases the parent of intolerance. In the Dutch Netherlands, the victory of Calvinism in 1618 had been so complete, and the political weakness of the Arminians had been so amply demonstrated, that it had recently become possible to allow the proscribed Arminian teachers to return to their homes, and to gather around them congregations which were never again likely to

[1] *Palfrey*, i. 394.

[2] 'For the like' in Hazard (i. 390).

CHAP. XIII. 1635.

become dangerous. In England it was as yet otherwise. Laud knew well the danger in which he stood. He lived in constant apprehension that if he relaxed his efforts for a moment, Puritanism would arise as a flood to sweep away himself and all that was dear to him. As it was in the Old England, so it was in the New. The guardians who presided over the fortunes of the settlement feared the disintegrating power of men who would advocate Laud's principles amongst them more than they feared all the military forces which he could send against them, as the watchman who sees with equanimity the dash of the surf upon the dyke which he is appointed to maintain intact, will yet shudder at the tiny rill of trickling drops which percolates through its sides.

Increase of the colony.

Every year the position of the Puritan colonists was growing stronger. Large numbers had joined them in 1634. In 1635, in spite of the restrictions imposed by the Council, three thousand persons added themselves to the community. The Metropolitical Visitation was doing its work for them. Their leaders might defy the English Government, but they were sufficiently prudent to repress every action which might imply personal disloyalty to the King. Endicott came to the conclusion that the cross in the English flag was a symbol of Popery, and tore it out from one which was lying at Salem. Though the feeling which prompted the deed was too widely spread to allow the magistrates to order the replacement of the flag, they directed that the royal standard bearing the arms of England should be set up where it might be seen by all vessels approaching the coast.[1] Almost at the same time they banished Roger Williams from the colony. The young preacher, who combined the most sceptical and combative of intellects

The cross torn out of the flag.

Banishment of Roger Williams.

[1] *Palfrey*, i. 426.

with the warmest and most affectionate of hearts, had passed a life of combat ever since he first landed in the settlement in 1631; when he had startled all around him by announcing, amongst other unusual opinions, 'that the magistrate might not punish the breach of the Sabbath or any other offence as it was a breach of the first table,'[1] a view which may perhaps be considered as the germ of the doctrine of toleration of which he was afterwards to become the consistent advocate. He now gave offence in another way; for he argued that the King had no right to grant to his subjects lands which in reality belonged to the Indians, and that the patent by which they held the territory of Massachusetts was for that reason null and void from the beginning; whilst he had also argued that the magistrates had no right to impose the oath by which they were binding all residents to defend their homes. Williams wandered away into the wilderness to found the settlement of Rhode Island, the first Christian community which was established on the basis of the open and complete acknowledgment of religious liberty.[1]

Lord Warwick's interest in the colony.

The causes which were driving into exile thousands of men unknown to fame, turned towards the New England settlements the thoughts of a class of men who had hitherto felt little sympathy with the Separatists. The Earl of Warwick had been the President of the Council of New England. But there had been some estrangement between him and the other members, and in 1632 he had either resigned or been expelled from his post. It is probable that the quarrel arose from a difference of opinion relating to the course which affairs were even then taking in the Massachusetts

[1] *Palfrey*, i. 406.

CHAP. XIII. 1635.

colony.[1] Warwick was passing from the turbulence of earlier years into the steady and resolved Puritanism of maturer life, and into a feeling of confirmed opposition to the Court, the flames of which had been fanned by the attack made in the Forest Court in 1634 upon the landowners of Essex. In 1632 he had made over a grant which he held of lands in Connecticut to several persons, amongst whom were two Puritan peers, Lord Saye and Lord Brooke, the latter the cousin and heir of Fulke Greville. It was not till 1635 that they thought of making use of the lands which had been conveyed to them. In that year they sent out a small number of persons to the new settlement. But the bulk of the inhabitants came from Massachusetts.[2] In one point alone the new settlers differed from the older colony. Church membership was not to form the qualification for citizenship. The extreme tension of feeling which produced and maintained the strict ecclesiasticism of Massachusetts gave way as soon as it ceased to be fanned by opposition.

The settlement of Connecticut.

1634. English noblemen propose to settle in Massachusetts.

The Puritan noblemen had even thought of joining the tide of emigration themselves. But they had as little conception as Laud had of the real requirements of colonial life. In 1634 Lords Saye and Brooke, with others of their friends, proposed to transfer themselves to New England. But they clearly expected that they were to be the first in rank there, as they were at home. They asked for the establishment in their own favour of an hereditary peerage, from the ranks of which alone the Governor should hereafter be chosen. The members of this peerage were to bear the simple style of gentlemen, 'and for the present the Right Honourable the Lord Viscount Saye and Sele, the Lord Brooke, who had

They demand the creation of a peerage.

[1] As suggested by Mr. Palfrey, i. 399, note.

[2] *Palfrey*, i. 450.

already been at great disbursements for the public works in New England, and such other gentlemen of approved sincerity and worth as they, before their personal remove, shall take into their number, should be admitted, for them and their heirs, gentlemen of the country; but for the future, none should be admitted into this rank but by the consent of both Houses.[1] A body of hereditary legislators with a veto upon the increase of their own numbers was an idea which found as little favour with the ecclesiastical democracy of Massachusetts as it would have found with the ecclesiastical monarchy of Laud. The settlers thanked the lords for their offer. The country, they said, 'would thankfully accept it as a singular favour from God and from them, if He should bow their hearts to come into the wilderness and help them.' "When," they added, "God blesseth any branch of any noble or generous family with a spirit or gifts fit for government, it would be a taking of God's name in vain to put such a talent under a bushel, and a sin against the honour of magistracy to neglect such in our public elections. But if God should not delight to furnish some of their posterity with gifts fit for magistracy, we should expose them rather to reproach and prejudice, and the commonwealth with them, than exalt them to honour, if we should call them forth, when God doth not, to public authority."[1]

1636 It is rejected.

Nothing was said in the last sentence which the Massachusetts settlers had not already shewn themselves prepared to carry out. In 1635 young Henry Vane, the son of the Comptroller of the Household, landed at Boston. His desertion of his native country had been but one instance of the repellent effect exercised by the atmosphere of Charles's Court upon young

1635. Vane in Massachusetts.

[1] *Palfrey*, i. 389, note.

CHAP. XIII.

1627. and ardent minds. As a boy of fifteen he had felt that influence of religious self-devotion which so often breathes a spirit of earnestness into the heart upon the threshold of youth and manhood. In his case the

1628. change was not evanescent. His opinions were not affected by a residence at Oxford, where he was unable to matriculate in consequence of a refusal to take the oaths of allegiance and supremacy.[1] It was perhaps to wean him from these fancies that his father sent him

1631. Vane at Vienna. to Vienna in 1631 in the train of the ambassador Anstruther.[2] His Puritanism must have relaxed by this time, or Anstruther must have been very confiding to the son of a minister so high in Charles's favour. All the secrets of the embassy were laid open to him, and in this way he, almost alone of all men not within the circle of the King's interior cabinet, became to some extent acquainted with the secret league designed by Charles and the Spanish Government for an attack

1633. upon the Dutch Republic.[3] When he came home he was looked upon as in the fair way to the highest honours. "His French," wrote Sir Tobie Matthew to the elder Vane, "is excellently good, his discourse discreet, his fashion comely and fair, and I do venture to foretell that he will grow a very fit man for any such honour as his father's merits shall bespeak or the King's goodness impart to him."[4] But young Vane's secret must have been a heavy burden to his mind, and may well have had its effect in alienating him yet more

[1] Wood, *Ath. Ox.* iii. 578.

[2] It is generally said erroneously, on Winthrop's authority, that he was attached to his father's embassy.

[3] His letters in French to his father from Vienna in the *State Papers, Germany*, reveal this. Clarendon says he went to Geneva. I suspect he merely knew that he had been abroad somewhere.

[4] Matthew to Vane, March 25, 1632. *S. P. Dom.* ccxix. 64.

CHAP. XIII.

from the Court. In 1633 his Puritanism took a sharper form. The King himself interfered to save him from that which he regarded as his folly. A conference with Laud ended by leaving both parties in the mind in which they had come, and at last Vane, in order to escape from domestic disquiet, announced his intention of emigrating. In October 1635 he arrived in Massachusetts. Young as he was,—he was but twenty-three,—his opinion was at once sought in matters of moment, and in the following year he was elected Governor of the settlement.[1]

1633.

1635. Vane emigrates.

1636.

Mrs. Anne Hutchinson.

It was a time of unexampled difficulty. Stern and unbending as the theology of the settlers appeared in the eyes of ordinary Englishmen, there was a theology more stern and unbending still. Its advocate was Anne Hutchinson, who had landed in the colony with her husband in 1634. She asserted that sanctification was no test of justification, and that those alone were justified in whom the Holy Ghost dwelt. Within the narrow limits of the Separatist churches, she drew a limit yet more narrow, a limit undefinable by any outward or moral test. There was, she said, a covenant of grace and a covenant of works. By-and-by, provoked by the antagonism raised by her assertions, she proceeded to assume the insight which she denied to others. The ministers who favoured her were pointed out as being under the covenant of grace. The ministers who opposed her she declared to be under a covenant of works. The wrath which these denunciations aroused was great. Men who had been regarded with the highest respect as pre-eminent for Christian graces, and for the fulfilment of Christian duties, men who it may be had sacrificed their homes and their

[1] Winthrop's *History*, i. 203, 211.

CHAP. XIII. 1636.

friends in England for the sake of their faith, found themselves pointed at with the finger of scorn as undeserving of the very name of a Christian.

Mrs. Hutchinson was no mean antagonist. Her voluble tongue, her readiness of argument and illustration, together with her earnestness of purpose, soon procured her numerous followers. She gathered large numbers of women for religious discussion, and sent them forth to convert their husbands and their brothers.

1637. March Greensmith fined.

The infant commonwealth was threatened with disruption. At last the angry feeling came to a head. One Greensmith was fined for saying that only two, or at most three of the ministers, were under the covenant of grace.

Wheelwright's sermon.

Then came a sermon from Mrs. Hutchinson's brother, Mr. Wheelwright, urging those who were on his side to prepare for a spiritual combat, in which they were to be like the valiant men round Solomon's back with their swords in their hands, and to make themselves ready for battle lest those under the covenant of works should prevail against them. He treated the New England ministers, in short, just as Leighton had treated the Bishops in England eight years before. For this sermon he was adjudged to be guilty of sedition, though it was not immediately determined what penalty should be imposed upon him.

Vane sides with Mrs. Hutchinson.

In the discussions which had taken place Vane had sided with Mrs. Hutchinson. His own mystical temperament attracted him to her doctrines, whilst the absolute character of his intellect led him to throw aside all those considerations for the danger of the commonwealth which weighed deeply with most of the men who, like Winthrop, had long watched over its fortunes. He had conceived the noble belief that religious intolerance was a crime, and he was shocked

CHAP. XIII.

1637.

to hear the imputation of heresy mingled with the imputation of unruliness in the charges brought against Mrs. Hutchinson by her adversaries. On May 17, 1637, when his year of office was at an end after the first contested election in the New World, Winthrop was chosen Governor in his place. The first result of the new administration was a law giving power to the magistrates to refuse to admit into the settlement persons of whom they disapproved, so as to anticipate the scheme which they attributed to Mrs. Hutchinson, of flooding the colony with her partisans from England.[1]

May 17. Vane rejected for Winthrop.

A paper discussion ensued between Vane and Winthrop. At once the controversy was lifted out of the regions of fierce recrimination and angry polemics to the calmer atmosphere of principle. Winthrop held that the commonwealth had a right to refuse admission to its soil to persons who endangered its peace and even brought into question its future existence. Vane, besides arguing that the rules laid down at Massachusetts must be such as would stand with the King's superior authority, took far higher ground. Under the theological form which was natural to his own mind and to the subject which he was handling, he declared his conviction that no State had a right to suppress liberty of speech and thought. Winthrop had argued, he said, that Wheelwright's opinions would not 'stand with external peace' but would 'cause divisions' and would 'make the people look at their magistrates, ministers, and brethren as enemies to Christ.' What then, urged Vane, had not Christ distinctly said that he came not to send peace but a sword? This is the thought which runs all through Vane's argument.[2]

Discussion between Vane and Winthrop.

[1] *Palfrey*, i. 472. Winthrop's *History*, i. 239. Winthrop's *Life of Winthrop*, ii. 175.

[2] Winthrop's declaration, with Vane's reply and Winthrop's rejoinder, are in Hutchinson's *Collection*, 63.

CHAP. XIII. 1637.

Winthrop's position was substantially the same as Laud's. With the wilderness to fall back upon, he could be content with banishment instead of the pillory, but the principle which he advocated was the same as that which was accepted by the English Star Chamber. Vane cut boldly at its root. This peace, he said in effect, which you aim at, this avoidance of strife, is the sign of death. Life is a battle and a conflict, and you must submit to its conditions if you are to win its prizes.

Vane's theory not to be realised at once.

Vane spoke a truth for all ages. But it does not follow that his ideal could be realised immediately. Gold, it is said, may be bought too dear, and there may be sacrifices which are too great to make even for the sake of the pearl of liberty. Those who possess the power to tolerate diversities of opinion may fairly ask that the concession made will not be used as a lever to overthrow the whole fabric of society. In Massachusetts it was impossible to feel any such assurance. The elements of which the colony was composed were exactly those most likely to be goaded into fierce antagonism by theological discussion. There was no population half sceptical, half careless, to keep the balance even between rival churchmen, or to trim the vessel from time to time so as to restrain the hand of the persecutor. Above all, as Winthrop knew well, dissension in Massachusetts would be Laud's opportunity. Unless the settlement could continue to show a united front to the mother country, its dangers would be immeasurably increased. Winthrop felt that he was practically in the position of the commander of the garrison of a besieged fortress. Many things allowable and praiseworthy in time of peace are neither allowable nor praiseworthy in time of war. He felt towards Vane and his theories very much as Cromwell

felt towards them when he drove him out of the House of Commons with the cry—"The Lord deliver me from Sir Harry Vane."

1637.

The day has come when it is possible to do justice to Winthrop and Vane alike. For the moment there was no place for Vane any longer in Massachusetts. After a brief delay, he took ship to return to England. His visit to the New World had ended in apparent failure. But the seed which he had sown had not been thrown away. It would reappear in due season to bear fruit for the nourishment of Europe and America.

Vane's return to England.

Strangely enough, at the very time when the ideas of toleration were put forth in vain in New England, another part of the American Continent was witnessing their practical adoption. In 1623 Sir George Calvert, afterwards the first Lord Baltimore, whilst still Secretary of State, had received a grant of Newfoundland. After his change of religion and his consequent resignation of office, finding little scope for his energies in England, he had devoted both time and means to the encouragement of the colony. The poverty of the soil and the climate were against him, and after a long struggle with the forces of nature, he determined to transfer his operations to a more southern land. A visit to Virginia in 1628 ended in the refusal of the settlers to allow him to take up his quarters amongst them unless he would take the oaths of supremacy and allegiance, and he was thus convinced that it would be necessary for him to seek new territory, if he was to find shelter for his coreligionists from the English law.

1623. Baltimore's settlement in Newfoundland

1628. His visit to Virginia.

The land which he chose was that to which Charles gave the name of Maryland in honour of his Queen. The real founder of the colony indeed did not live to witness the completion of the charter of Maryland; but his son, the second Lord Baltimore,

1632 April 25. Death of Baltimore.

CHAP. XIII.

1632.

succeeded to his American projects as well as to his peerage.

June 20. Charter of Maryland.

The charter granted by Charles has an interest beyond its bearing on the institutions of America. Copied word for word from the earlier charter of Newfoundland except where differences were absolutely required, it reveals an ideal of monarchical government, promulgated by James and adopted by his son, as clearly as the ideal of aristocratic government entertained by the Puritan lords is depicted in the overtures of Saye and Brooke to the settlers of Massachusetts.

Clauses relating to civil government.

Lord Baltimore, whose authority in Maryland was to be truly of a kingly nature, was to be the proprietor of the colony, and this proprietorship was to descend to his heirs. The government was to be a constitutional one, as James and Charles understood the constitution of England. New laws could only be made by Lord Baltimore himself, 'with the advice, assent, and approbation of the free men of the same province, or of the greater part of them, or of the delegates and deputies.' It was the right of counsel, not the right of control which was conceded. The free men and the deputies were not to make laws without the consent of the proprietor. If sudden accidents happened Lord Baltimore might issue ordinances to have the force of law, provided that they were consonant with reason and the laws of England, and did not violate the right of any one 'in member, life, freehold, goods, or chattels.' The appointment of judges and magistrates was to rest with the proprietor, who was also to exercise the functions of commander-in-chief.

Clause relating to ecclesiastical government.

The theory of government thus propounded was so difficult to realise in England, and so impossible to realise in a new colony, that, except for the light which this part of the charter throws upon the ideas which

prevailed in the English Court, it would be unnecessary to refer to it here. It is otherwise with the brief phrases relating to the religion of the future settlement. Baltimore was entrusted in Maryland, as he had been entrusted in Newfoundland, with 'the patronage and advowsons of all churches which, with the increasing worship and religion of Christ, within the said region, hereafter shall happen to be built; together with license and faculty of erecting and founding churches, chapels, and places of worship, in convenient and suitable places, within the premises, and of causing the same to be dedicated and consecrated according to the ecclesiastical laws of England.'[1]

1632. June 20.

Explanation of the latter.

The retention of the exact phrases used in the Newfoundland charter requires explanation. When they were inserted in the grant made in 1623 to a Secretary of State who was still a member of the English Church, they would undoubtedly act simply as an establishment of that Church in the colony. But it would be an establishment arising rather from the good will of the authorities of the settlement than from any words in the charter itself. The proprietor was empowered to found churches, and to have them consecrated according to the laws of the Church of England, if he chose to do so; but there was nothing to compel him to do this unless he pleased, or to prevent him from founding other Catholic or Nonconformist places of worship by the side of the churches consecrated after the directions of the charter.

Probable understanding between Baltimore and the King.

It is impossible to suppose that words so vague in their meaning were re-inserted in the Maryland charter without due deliberation. It was notorious in 1632 that both the first Lord Baltimore and his son

[1] Bozman's *Hist. of Maryland*, ii. 1. The Charters may be compared on the *Patent Rolls*, 21 James I. Part 19; 8 Charles I. Part 3.

CHAP. XIII.

1632.

were Catholics, and that they intended to establish in Maryland a place of refuge for English Catholics who wished to escape from the penal laws. May it not therefore be taken for granted that the phrases of the charter were intended to cover a secret understanding between Baltimore and the King? Charles could not, with any regard for the necessities of his position, make mention of his purposed toleration of the Papal Church in Maryland. Neither could he, if he meant to favour Baltimore's object, insert words in the charter compelling the sole establishment of the English Church. The clause as it stood would look like a provision for the maintenance of English Church forms without being anything of the kind, and the success with which this object was achieved may be judged from the fact that even in our own day an American writer has thought himself justified in so interpreting it.[1]

What was the exact nature of Charles's understanding with Baltimore cannot now be ascertained. But judging from what followed, it is probable that there was an engagement on the part of the proprietor that if the English Government threw no obstacles in the way of the development of his own Church in Maryland, he would allow no interference with such of the colonists who were and chose to remain Protestants.

1633. The colonists a mixed body.

The colonists in fact who sailed in November 1633, numbering between two and three hundred, were a mingled body of both religions, though the few gentle-

[1] In the *Contemporary Review* for Sept. 1876, Mr. Neill, in criticising various statements about the colonisation of Maryland, argues that the charter, 'while recognising Christianity in general terms, confined its development within the Church of England.' I believe the interpretation given above is more correct, and I am quite sure that Mr. Neill is wrong in saying that the 'Holy Church,' which, according to the statute of 1639, was to 'have all her rights and liberties' was 'that of the charter, the Church of England.' Such a phrase was never to my knowledge applied to the Church of England.

men who took part in the enterprise were almost, if not quite all, Catholics. Baltimore did not himself leave England, but he deputed his brother, Leonard Calvert, a Catholic like himself, to act as governor in his name. The settlers landed in Maryland on March 27 of the following year.

CHAP. XIII.

1634. March 27. They land in Maryland.

Three years later a struggle began for political rights. The colonists firmly resisted the claim of the proprietor to dictate their laws, and they made good their opposition with little difficulty. From the beginning there had been no thought of hostility between Protestants and Catholics, and whatever germs of discord may have lain hid were stifled in the harmony arising from joint resistance to the same political adversary. In 1638 Lord Baltimore gave way, and permitted an assembly to frame its own laws. Its first act was to acknowledge distinctly the position of the Church of Rome. "Holy Church within this province," it was declared, "shall have all her rights and liberties." At the same time another act was passed to secure all free Christian inhabitants in the enjoyment of 'all such rights, liberties, immunities, privileges, and free customs, as any natural born subject of England hath or ought to have or enjoy in the realm of England, saving in such cases as the same are or may be altered or changed by the laws and ordinances of this province;' and this act secured what had never been questioned in Maryland, complete liberty of Protestant worship.[1]

1637-9. Struggle for political rights.

Toleration secured in Maryland.

It was thus that toleration gained ground in Maryland. Roger Williams and Vane preached to deaf ears in Massachusetts, whilst the force of circumstance brought the followers of opposing creeds in Maryland to seek out in one another rather the points in which they agreed than those in which they differed. In

[1] *Bozman*, ii. 107.

CHAP. XIII. 1639.

Maryland the Protestants, slack in zeal and dependent for organisation upon their Catholic leaders, in all probability never thought for an instant of erecting a dominant Church, whilst the Catholics, planted in the midst of zealous Protestant settlements to the north and south, and depending for support on the good will of the King, could not venture, even if they had wished it, to oppress their Protestant fellow-colonists.

Comparison between Maryland and England.

The story of Maryland was to some extent an anticipation of the future story of England. In England there was to be a struggle for political rights, and that struggle was to lead to the acceptance of the doctrine of religious toleration for those who stood together in resisting oppression. That struggle was to be a far harder and a far longer one than it had been in the clearings of the woods by the side of the Chesapeake. This compensation at least was given to the horrors of the strife, that the demand for toleration clothed itself in fitting words, and that the voice of Milton and Vane and Cromwell lifted up a standard round which the thought of the world might rally, and which would make the acquisition of religious liberty not a fortuitous occurrence leaving no lesson behind it, but the victory of a truth for all times and all nations.

CHAPTER XIV.

THE THIRD WRIT OF SHIP-MONEY AND THE DECLARATION OF THE JUDGES.

1636.

June. Theory of Charles's Government.

THE doctrine announced in June 1636 by Berkeley from the Bench,[1] and in July by Coke at Oxford,[2] was nothing less than the fullblown theory of absolutism. Sooner or later the question whether the supreme power was lodged in the King alone, or in the King acting in concurrence with his Parliament, was sure to be merged in the larger question whether the King could permanently exercise authority in defiance of the nation. That further question was now distinctly put. Of the claim to divine right which fills so large a space in the minds of modern historians, and which even then formed the staple of many a village sermon, little was said by the King's leading supporters in Church or State. Such men contented themselves with disengaging from the storehouse of older constitutional principles the theory that the King was vested with the power of finally deciding what was for the interest of the nation. It was not by inventing anything new, but by thrusting out of sight those considerations by which this theory had been balanced, that an arbitrary and despotic Government was erected in England.

Its ostensible legality.

Ostensibly, at least, Charles's Government was a legal one. He was ready at any time to submit his pretensions to the Judges, though he had taken good care

[1] P. 203. [2] P. 253.

CHAP. XIV. 1635.

that no Judge likely to dispute his will should have a seat on the Bench. The Petition of Right was still acknowledged to be in force. But it was of little avail to a prisoner to be able to compel his gaoler to present him before the King's Bench with a written signification of the cause of his committal, if the Judges of that Court were certain to refuse to give him relief, and if the mere fact of his having appealed to them in vain was equally certain to bring upon him a heavy sentence in the Star Chamber if ill fortune brought him there. The most important clause in the Petition, therefore, had become a dead letter, not because the Judges had openly refused to take it in consideration, but because no prisoner since Eliot had thought fit to avail himself of its provisions. The clause relating to taxation was disposed of in the same way. It was treated with all possible respect. The King took good care not to levy taxes or loans or benevolences. But he took the money he wanted for all that. Neither Tonnage and Poundage, nor composition for knighthood, nor Ship-money was named in the Petition; and the next time that more money was required, Charles's lawyers would take good care to make the demand in some form which would put them, verbally at least, in the right.

Wentworth's support of it.

No abler or more resolute advocate of this system could be found than Wentworth. As far as we know, he had not been consulted on English affairs since his arrival in Dublin. But his vigorous government in Ireland, and especially his proceedings in Connaught, had been stamped with Charles's approbation. Not a single person at Court seems to have found fault with them on the ground on which they were most assailable—namely, their injustice to the Irish population. But the Court swarmed with men ready to take

Sept. 30. Wentworth's proposed plantation.

1635.

Attacks upon him.

up the interests of any great nobleman or great official who felt himself aggrieved. The Earls of Pembroke and Salisbury had done their best to save Lord Cork from the penalty of his misappropriation of Church lands. Others were ready to plead for Lord Wilmot, a veteran who had been called to account by the Deputy for taking Crown property to his own use. Lord Clanrickard, or St. Albans, as he was called in the English peerage, and his son, Lord Tunbridge, were themselves in England to remonstrate against the wrong done to them in Galway. Laud warned his friend of the risk he was running. "I find," he wrote, "that notwithstanding all your great services in Ireland, which are most graciously accepted by the King, you want not them which whisper, and perhaps speak louder where they think they may, against your proceedings in Ireland as being over, full of personal prosecutions against men of quality, and they stick not to instance St. Albans, the Lord Wilmot, and the Earl of Cork;[1] and this is somewhat loudly spoken by some on the Queen's side. And, although I know a great part of this proceeds from your wise and noble proceedings against the Romish party in that kingdom, yet that shall never be made the cause in public, but advantages taken, such as they can, from these and the like particulars, to blast you and your honour if they are able to do it. I know you have a great deal more resolution in you than to decline any service due to the King, State, or Church for the barking of discontented persons, and God forbid but you should; and yet, my Lord, if you could find a way to do all these great services and decline these storms, I think it would be excellent well thought on."[2]

Nov. 16. Laud warns him.

[1] 'This Earl' in the original. I have altered it to make it intelligible.

[2] Laud to Wentworth, Nov. 16. *Straf. Letters*, i. 479.

CHAP. XIV.

1635.

Dec. The courtiers and Wentworth.

Better advice it was impossible to give. But it was not advice which Wentworth was likely to take. It was his manner to look straight at his aim, and to care little for the feelings he wounded in attaining it. Least of all was he likely to care for the wretched combination of interested intriguers which gathered round the Queen. Cottington might find it useful to advocate the claims of the Roman Catholics. Holland might find it useful to advocate the claims of the Puritans. Wentworth passed on his way without heeding. His chief regret was that he could never feel quite sure of support from the King. He had adjured Charles not to squander the grant of the Irish people on his English courtiers. Early in December he learned that Lord Nithsdale was to have 10,000*l.* paid him out of the subsidies of Ireland. All that his remonstrances gained was that Charles promised that he would not so offend again.

Nov. Death of Clanrickard.

Wentworth pushed on, heedless of friend or foe. Clanrickard died in November, and a rumour at once spread that he owed his death to Wentworth's malice. Wentworth felt the insult bitterly, but the only notice he took of it was to urge the King to take into his own hands the authority which the late Earl had exercised in Galway.[1]

Wentworth and Mountnorris.

It was not long before the courtiers had a fresh charge to bring against Wentworth. Amongst the officials whom the Lord Deputy regarded with suspicion and distrust was Lord Mountnorris, who, as Sir Francis Annesley, had been one of Falkland's opponents. As Vice Treasurer of Ireland, the whole of the accounts of the kingdom passed through his hands. In such an office Wentworth looked for scrupulous probity and decorum. He complained that he was a gay and reckless liver, fond of play and suspected of accepting bribes in

[1] Wentworth to the King, Dec. 5. *Straf. Letters*, i. 491.

CHAP. XIV.

the execution of his office. As early as in the spring of 1634 he charged him with taking percentages to which he was not entitled, and obtained an order from the English Privy Council to stop the practice. Mountnorris treated the order with contempt. In that winter session of Parliament which caused Wentworth so much trouble, he assumed the airs of a leader. From that moment it was evident that Wentworth would not rest till he had found the means of ridding himself of so insubordinate an official.

1634. May. Oct. Dec.

A fresh act of petty malversation was discovered in the spring of 1635. Mountnorris was in possession of a fee of 20*l.* a year as the auditor of accounts which had no existence. It was whispered, too, that either he or his servants had refused payment upon the Deputy's warrant till a bribe had been received from the person to whom it was payable. Wentworth's patience was becoming exhausted.

1635. March. April

Mountnorris talks of resigning.

For some time Mountnorris had been talking of resigning his place, and had even asked Wentworth to arrange the terms on which he was to receive compensation from his successor. At the beginning of April he had broken off all treaty with the Deputy, and had announced that he would leave his case in the hands of the King.[1]

Annesley's insubordination.

From that moment secret dislike was exchanged for open defiance. One day a brother of Mountnorris, who was a lieutenant in a troop of horse, was reproved by Wentworth for disorderly conduct at a review. Young Annesley replied to the Deputy's reprimand by an insulting gesture. Wentworth's quick eye caught the act of insubordination. He brought down his cane

[1] Wentworth to Coke, May 13, Oct. 6, Dec. 16, 1634, March 25, Apr. 7, 1635; the King to Wentworth, July 31, 1635. *Straf. Letters*, i. 244 304, 345, 391, 400, 448.

CHAP. XIV. 1635.

gently on the lieutenant's shoulder and told him that if he repeated the offence he would 'lay him over the pate.'

A stool dropped on Wentworth's foot.

Not long afterwards a fresh scene occurred. Another Annesley, a kinsman of Mountnorris, dropped a stool on the Deputy's gouty foot. Then came a dinner at the Lord Chancellor's, at which Mountnorris was present. The story of the dropping of the stool was mentioned. "Perhaps," said Mountnorris, "it was done in revenge of that public affront that the Lord Deputy had done me formerly. But I have a brother who would not take such a revenge."

Apr. 8. The dinner at the Lord Chancellor's.

July 31 Wentworth authorised to proceed against Mountnorris.

Wentworth appealed to the King. He received in return two letters, the one authorising him to order an enquiry into Mountnorris's malversations in office, the other instructing him to bring him before a Court-martial for the words spoken at the dinner. Both these letters were dated July 31. For some unexplained reason no action was taken on them for many months, and it is possible that Wentworth was still hoping for Mountnorris's resignation to cut the knot. In the end of November Mountnorris was summoned to give an account of his official conduct before a Committee of the Council. The Deputy had a further rod in store for him.[1] If he was Vice Treasurer of Ireland,

[1] Writing on Jan. 2, 1636, (*Works*, vii. 216) Laud says that "William Raylton," Wentworth's agent, "came to me and told me that the business of the farms were stirred again, and that the Lord Mountnorris had a hand in it. I found the King very reserved, yet thus much I discovered, that certainly the Lord Mountnorris had made some offer about it. And I hear from a good hand since I spake with the King, that whereas the King hath now but 8,000*l.* per annum, he shall then have 20,000*l.* What truth is in this I know not. But I am most confident that if the King may gain 12,000*l.* a year, you will be very well advised before you will stand so much in his light, having so many eyes upon both your actions and your ends." Later in the same letter, referring to the Court-martial, Laud says, "I pray God this be not interpreted as done by you in revenge for the farms." Writing in answer on March 9 (*Straf. Letters*, i.

CHAP. XIV.

1635.

Dec. 12. The Court-martial.

he was also an officer in the army, and on December 12 he was summoned to a Council of War in the Castle. On his arrival he found that no one knew what the business of the day was to be. He took the seat assigned him by his rank, near the head of the table. At last the Deputy arrived, and informed the Council that they were called to sit as a Court-martial on Mountnorris. The language used at the Lord Chancellor's dinner had broken two of the laws of war by which the army was governed. By one of these it was ordered that no man should 'give any disgraceful words, or commit any act to the disgrace of any person in his army or garrison, or any part thereof, upon pain of imprisonment, public disarming, and banishment from the army.' The other ordained that no one should 'offer any violence or contemptuously disobey his commander, or do any act or speak any words which are like to breed any mutiny in the army or garrison, or impeach the obeying of the General or principal officer's directions, upon pain of death.' On these two grounds Wentworth demanded sentence against Mountnorris. He had been himself publicly affronted by Mountnorris's description of the scene which followed on Annesley's insubordination, whilst the words relating to the brother who would not take such a revenge were to be regarded as an incitement to that brother to take a revenge of a more violent kind than the dropping of a stool.

The sentence.

In vain Mountnorris, stupefied by the unexpected

517), Wentworth says, "If any should impute this to be done in revenge of Mountnorris his stirring concerning the farm, my answer is full and direct, it was moved long before he offered anything in this business; so as in truth the questioning of him was the mere impulsive cause to strain him to that course, thereby, if it might have been, to save himself, which I dare say he would otherwise have been as far off as anything in the world." But it does not follow that Wentworth's specially angry feeling in December was not due to the business of the farms.

CHAP XIV. 1635. Dec. 12.

blow, denied that the words had been correctly reported, and begged that counsel might be allowed to assist him in his defence. Witnesses were produced to prove that the words were his, and he was told that it was not the custom of a Court-martial to allow the prisoner the benefit of an advocate. As soon as he was withdrawn, Wentworth demanded sentence in respect of the articles he had cited. It is true that he took no part in the deliberations of the Court, and that he remained seated in his place bareheaded, as became a suitor for justice.[1] But he could not divest himself of the commanding aspect which seldom failed to secure obedience, of the knit brow and flashing eye which announced him as a ruler of men. It is no wonder that his enemies spoke of that Court as overawed by his presence. Yet it is hardly probable that if Wentworth had left the room the Court would have decided otherwise than it did. It was their business to decide according to the strict letter of the law, and it is undeniable that against the letter of the law an offence had been committed.

Sentence pronounced.

After a short deliberation Mountnorris was recalled. Sentence of death was formally pronounced upon him. Then Wentworth addressed him. He might, he said, order out the Provost Marshal at once to execute the judgment of the Court. But as far as life was concerned, he would supplicate his Majesty. "I would rather lose my hand," he added, "than you should lose your head."

Reflections on it.

It is one thing to justify the conduct of the Court-

[1] Wentworth to Coke, Dec. 14. Wentworth on the Council of War to Coke, Dec. 15. *Straf. Letters*, i. 497, 498. Cromwell to Conway, Dec. 17. *S. P. Ireland.* Rushw. *Trial of Strafford*, 186. Mountnorris must have known perfectly well from these last words that his life would be spared, and all representation of his agonising expectation of death whilst in prison is therefore pure rhetoric.

CHAP. XIV.

1635. Dec. 12.

martial: it is another thing to justify the conduct of Wentworth. The extreme powers entrusted to a commander by martial law are manifestly intended only to be put in force when extreme necessity requires. The very code under which Wentworth acted bore words limiting its employment to cases of necessity. In the case of Mountnorris it is evident that at the time when the trial was instituted no such necessity existed. In April there was undoubtedly some slight danger. In the excited state of mind in which Mountnorris and his kinsmen were, it was not altogether impossible that some violent act might have been attempted. Since that time seven months had passed away. The rash words had been followed by no acts of any kind. There was no such danger as that against which the Articles of War were intended to guard. Wentworth was guilty of applying to the destruction of a political opponent the mere technical letter of the law.

It is happily unnecessary to argue that this was the true explanation of the case. We have it upon Wentworth's own confession. Two years later he acknowledged to Mountnorris himself that all he had wanted was to get rid of him.[1]

Wentworth's subsequent account of his conduct.

So thought Wentworth in cold blood. It is hardly likely that he thought so at the time. With his heart filled with scorn of the man who had ventured without character or talents to pose himself as his rival, every

[1] "At my Lord Mountnorris's departure hence he seemed wonderously humbled, as much as Chaucer's friar, that would not for him anything should be dead, so I told him I never wished ill to his estate nor person, further than to remove him thence, where he was as well a trouble as an offence unto me; that being done (howbeit, through his own fault, with more prejudice to him than I intended) I could wish there were no more debate betwixt us." Wentworth to Conway, Jan. 6, 1638. *Straf. Letters*, ii. 144. See too p. 298, note.

CHAP. XIV.

1635. Dec. 12.

angry word which Mountnorris had spoken, every corrupt or thoughtless deed which Mountnorris had done, probably branded itself upon his mind not merely as an insult to himself, but as evidence of insubordination to the King and treason to the State. Most likely the idea that the original fault had evaporated in the lapse of time never presented itself to his mind at all. To his fierce offended spirit all time was present, and April was as December.

Dec. 23. Wentworth's immediate defence.

The letter in which Wentworth announced the sentence to his friend Conway, the son of the late Secretary, was plainly written in full belief that Mountnorris was the aggressor. "In my own secret counsels," he wrote of his assailant, "I could to myself never discover those rough hands of Esau they so grievously and loudly lay to my charge; for I dare say that in all the actions of this nature which ever befel me, I shall be found still on the defensive part; and if, because I am necessitated to preserve myself from contempt and scorn, and to keep and retain with me a capacity to serve his Majesty with that honour becoming the dignity of that place I here by his Majesty's favour exercise, therefore I must be taken to be such a rigid Cato the Censor as should render me almost inhospitable to human kind; yet shall not that persuade me to suffer myself to be trodden upon by men indeed of that savage and insolent nature they would have me believed to be, or to deny myself and my own subsistence so natural a motion as is the defence of a man's self."[1]

1636. Feb. 14. Wentworth's letter to Price.

It was not in Wentworth's nature to offer a public defence of his conduct. To his intimate friends he was less reserved. A few weeks brought him tidings that the English Court was up in arms against him. What he had already written to Conway, he now wrote more

[1] Wentworth to Conway, Dec. 23. *Straf. Letters*, i. 502.

explicitly and defiantly to Captain Price. "Were it not," he complained, "that such hath ever been my fortune in the whole course of my life to have things imputed unto me as crimes whereof I was not at all guilty, it would have been unto me the strangest in the world to hear myself so bloodily traduced as to be made the author of my Lord St. Albans' death. But it is the property of malice to draw other men as ugly as itself, and albeit it love not the person, yet doth it desire he should be like itself, but such loose draughts as these will be but admitted to hang in some obscure corner for the meaner sort of people to feed upon, will never dare to abide long nearer the light where noble and skilful eyes will quickly find out their falsehood and imposture, not to be originals drawn after the life, but base copies slubbered over only for sale, without either truth or beauty, but barely as pleased the painter to devise them.

Feb. 14. Complains of being accused of St. Albans' death.

"Now as that death was charged unto me as chance-medley at least, so I may imagine the sentence of the Council of War upon Mountnorris will be found against me as wilful murder. Sure the billows will go high in this case, without one drop of good will to either his lordship or me; for a disaffection to me, not any affection to him, is sufficient to move some to proceed to sentence and fault me for him, nay, I fear, to condemn me too before ever I be heard; and then, how is it possible for me to prevent it? For they have given judgment already upon me, and how then will it acquit me to shew they have taken the mark amiss, that I had no part at all in the sentence, that it was done by all the prime officers of that army, assisted by at least fourteen captains, privy councillors, and others.

Explains his conduct to Mountnorris.

"Alas!" continued Wentworth, after recounting the proceedings of the Court, "all this comes too late.

Complains of being traduced.

CHAP. XIV.
1636. Feb. 14.

Halifax law[1] hath been executed in kind. I am already hanged, and now we come to examine and consider of the evidence; wherefore I will lay by me this truth which fully satisfieth myself, and betake myself to justify the justice, reason, and necessity of that decree; howbeit I confess I can add nothing to the weight it carries in itself, yet I must needs say that if men, soldiers or officers, may assume a liberty to traduce their general, to endeavour to effect him cheap and vile in the sight of those he is to govern; and all this gratis, without control; how is it possible to govern an army, nay, so much as a company? If therefore discipline be necessary to contain licentious and encourage modest spirits; that, if any are to be subject to this discipline, then most properly those that are officers and members of an army are to subject themselves unto it; if any orders or rules of an army to be without exception, then those most convincing that are not made upon the present occasion to serve a turn, but such as have been published and known long beforehand, nay the very same individually this army hath ever been governed under before I was born, and finally, if any judgment and execution thereon to be admitted to be in kind, when so much as when the army is in march, the troops in motion? And will any mind do such a violence to its own candour and ingenuity, as to deny that all or any of these do not occur in the case of this gallant fellow?"

Argues that discipline must be maintained.

No doubt it would have been hopeless to attempt to convince Wentworth that if he had not manufactured new laws 'to serve a turn,' he had given them an application which they had never been intended to have. Against a charge of a different description he was far

[1] To be hanged first and tried afterwards, like Lydford law in Devonshire.

more successful. "But," he wrote, "I hear it is mightily objected that he is a Peer, and a capital insolence to pass a sentence of death on him that is only triable in these exigents by his peers. 'Tis true, to taint him in blood, to forfeit his estate, that compliment the law requires; but if any man can shew me that privilege ever insisted upon, or at least allowed, to any listed as a soldier under the command of his General, they say well; else all may be admitted, and the sentence stand firm nevertheless; and to speak truth, if Peers insist upon such privileges as subsist not with the government of an army, where the remedies as the mischiefs are sudden, and require an instant expedient,[1] they must resolve not to bear arms rather than whole armies be put in hazard by legal, and to them impossible forms to be observed.

Feb. 14. Replies to the argument that Mountnorris was protected by his peerage.

"Then they allege the sentence to be too sharp: that's nothing against the justice of it; but when the execution is stayed, where is the sharpness? I think no man held his life to be in danger. For myself, were I put to the choice that he must lose his life, or I my hand, this should redeem that; and howbeit it was never in any man's heart to hurt the least nail of his finger, the example and terror of it to move men to descend into themselves and to avoid such outrages in the future, was by so much the more allowable, nay indeed, commendable and necessary.

Argues that the sentence was not to be carried out.

"Thus have I given you my judgment upon the whole matter as an indifferent man, as little concerned as any of the *speculativi* themselves, and as little to answer for the sentence as they, but let them philosophy and censure other men wiser, and it may be better

Comments on those who are dissatisfied.

[1] The best comment on this is in the words of the Managers of the Commons:—"The words are pretended to be spoken in April, my Lord of Strafford procures the King's letter in July, and questions it not till December; here is no *opus est*." Rushw. *Trial of Strafford*, 202.

CHAP. XIV.
1636. Feb. 14.

knowing than these flesh flies that lie buzzing and blowing upon men of virtue to taint their credits and honours, and render them, if they could, as contemptible, as mean, as themselves; I say the sentence given by the Council of War upon Mountnorris was in my poor opinion just and necessary, his fault and the persons whom it concerned, equally and rightly considered. For the rest, if you be in any point unsatisfied, look upon the sentence, which my agent can shew you, and that will abundantly satisfy you." [1]

Many remain dissatisfied.

Some at least there were who were not satisfied. "'Tis held by many," wrote one of Wentworth's correspondents, "a severe sentence. They say, if he had meant any ill, or that ill should have come thereof, he would have whispered those words in corners amongst swordsmen, not been so great a fool to utter them at the Lord Chancellor's table, a great officer and councillor of the kingdom. They wonder that the Viscount Moore should be a witness and a judge, and in fine, conclude that it cannot be paralleled in any time, that any man for the like words—no enemy in the country—so long time after should be adjudged to die." [2]

Mountnorris expelled from office.

Mountnorris was stripped of all his offices on the report of the Committee of Investigation. He did not remain more than three days in prison, though he was afterwards sent back on his refusal to acknowledge the justice of his sentence.

The Vice Treasurership had long been destined by Wentworth to Sir Adam Loftus. Wentworth had actually advised him, in order to make sure of the succession, to send over 6,000*l.* to England to be distributed amongst Cottington, Windebank, and others. Either from pure loyalty or because, as Laud shrewdly

[1] Wentworth to Price, Feb. 14. *S. P. Ireland.*

[2] Garrard to Wentworth, Jan. 25. *Straf. Letters*, i. 509.

suspected, the secret had oozed out, Cottington offered the whole sum to the King. Charles took the money, and used it in the purchase of lands in Scotland, which he was at that time buying as an endowment for the two Scottish Archbishoprics.[1] Loftus became Vice Treasurer of Ireland.

1636. Feb.

Charles's decision in the Deputy's favour silenced the voices of his accusers. But Wentworth knew well that the storm might at any time burst out again, and he asked leave to visit England on private business, with the hope that he might justify his conduct to the King more fully than it was possible for him to do by letter.

Went-worth asks leave to visit England.

In June Wentworth was at Charles's Court. With the King on his side, he had enough of lip-service from friends and enemies alike. By the King's direction he appeared before the Council to defend his conduct in Ireland.

June. Went-worth at Court.

Wentworth's defence was a splendid narrative of triumphs achieved. The Church, he said, was relieved from its poverty, and united in doctrine and discipline with the Church of England. The Irish exchequer had been saved from ruin. When he landed there was a yearly deficit of 24,000*l.* and an enormous debt. In a few months the debt would be paid, and a sum of 40,000*l.* was set aside to buy up sources of revenue which had been mortgaged, and which, when recovered, would bring in 9,450*l.* a year. There was an increase of 18,000*l.* in the revenue, and thus as soon as the mortgages were paid off the deficit would be converted into a surplus. Other sources of income might easily be opened, and a considerable saving in the expendi-

June 21. Went-worth's statement.

[1] Cottington to Wentworth, Jan. 27; Wentworth to Cottington, Feb. 13. *Straf. Letters*, i. 511, 514. Laud to Wentworth, Jan. 23, Feb. 4. *Laud's Works*, vii. 229, 240.

CHAP. XIV. 1636. June 21.

ture effected. There would soon be a surplus of 60,000*l.*

Such an exposition of financial success offered a sore temptation to the hungry English courtiers. Wentworth pleaded earnestly with the Council to support him in his efforts to save the money for the public service.

The army.

He then proceeded to shew that he had not sacrificed the interests of the State to those of the Treasury. The soldiers, he said, were well paid and well disciplined. Every man who served in the army had passed in review under his own eyes. When the troops were on the march they paid fairly for everything they took, no longer satisfying their wants by force, as if they had been in an enemy's country. They were now welcome in every place, where before they were an abomination to the inhabitants. The King was well served at the same time. Never had an army been so completely master of Ireland.

Administration of justice.

A full treasury and a strong military force may easily be compatible with the direst misgovernment. Wentworth insisted that he was not liable to this reproach. Justice was dispensed to all without acceptance of persons; 'that the poor knew where to seek and to have his relief without being afraid to appeal to his Majesty's catholic justice against the greatest subject;' that 'the great men' were 'contented with reason, because they knew not how to help themselves, or fill their greedy appetites, where otherwise they were as sharp set upon their own wills as any people in the world.' The Commission of defective titles was doing its work, and now that men could call their lands their own without fear of question, they were able to devote themselves to the improvement of their estates. The acts of the last Parliament were a boon

to the whole people, and 'there was a general and steadfast belief on that side in the uprightness of his Majesty's justice, the people there satisfied, his Majesty by them honoured and blessed, in contemplation of the great and princely benefits and graces they participate of, through his Majesty's wisdom and goodness.'

Trade.

Trade flourished no less than agriculture. Two years before pirates had swarmed in the Irish seas. Now the coasts were guarded, and the pirates were no longer heard of. Commerce was rapidly on the increase. Manufactures had been encouraged. The best flax seed had been imported from Holland. Workmen had been brought over from France and the Netherlands. Six or seven looms were already set up, and the prospect of a great industry in the future was all that could be desired.

Wentworth's defence of his severities.

Wentworth at last turned to the subject which was in the minds of all his hearers. It had been said that in his treatment of offenders he 'was a severe and an austere hard-conditioned man; rather, indeed, a Basha of Buda than the minister of a pious and Christian king.' He earnestly declared that it was not so, that in private life no one could charge him with harshness, and that it was 'the necessity of his Majesty's service' which had forced him to act as he had done.

"And that," he continued, according to his own report in a letter to his friend Wandesford, "was the reason, indeed; for where I found a Crown, a Church, and a people spoiled, I could not imagine to redeem them from under the pressure with gracious smiles and gentle looks. It would cost warmer water than so. True it was that where a dominion was once gotten and settled, it might be stayed and kept where it was by soft and moderate counsels; but where a sovereignty—be it spoken with reverence—was going

CHAP. XIV. 1636. June 21.

down hill, the nature of a man did so easily slide into the paths of an uncontrolled liberty, as it would not be brought back without strength, not be forced up the hill again but by vigour and force.

"And true it was, indeed, I knew no other rule to govern by, but by reward and punishment; and I must profess that where I found a person well and entirely set for the service of my master, I should lay my hand under his foot, and add to his respect and power all I might; and that where I found the contrary, I should not handle[1] him in my arms, or soothe him in his untoward humour, but if he came in my reach, so far as honour and justice would warrant me, I must knock him soundly over the knuckles, but no sooner he become a new man, apply himself as he ought to the government, but I also change my temper, and express myself to him, as unto that other, by all good offices I could do him.

"If this be sharpness, if this be severity, I desired to be better instructed by his Majesty and their Lordships, for in truth it did not so seem to me: however, if I were once told that his Majesty liked not to be thus served, I would readily conform myself, follow the bent and current of my own disposition, which is to be quiet, not to have debates and disputes with any."

The King's approval.

Wentworth may have deceived himself as to his own character. He did not deceive himself in his expectation of the King's approval. "Here," he continued, "his Majesty interrupted me and said that was no severity, wished me to go on in that way, for if I served him otherwise I should not serve him as he expected from me."[2]

Reflections on his defence.

Wentworth's defence is not to be passed over lightly. It is mere pedantry to meet it with arguments drawn

[1] (?) 'dandle.'

[2] Wentworth to Wandesford, July 25. *Straf. Letters*, ii. 13.

from constitutional theories entirely inapplicable to the case. The choice for Ireland in the seventeenth century did not lie between absolutism and parliamentary control, but between absolutism and anarchy. If Wentworth be taken at his worst, it is hardly possible to doubt that Ireland would have been better off if his sway had been prolonged for twenty years longer than it was. Yet with every disposition to do justice to his great qualities, it is undeniable that not only was the system which he favoured peculiarly liable to abuse, but that his own arrogant and masterful temper was still more liable to foster the abuses incident to the system. Eager with an unsparing and almost superhuman zeal for the good of those who were intrusted to his charge, he hardly cared what road he took to reach his aims. Government in his hands was in the main a rule of beneficence. But not only did he treat with disdain the feelings of individuals and of whole populations, but he thrust aside as unworthy of a moment's consideration the requirement that he who rules should be calm and frank as well as bold. Threats, surprises, and intrigues were equally reckoned by him amongst legitimate weapons of defence. To bully a jury, to cajole a Parliament, to try a man upon a capital charge in order to drive him to resign an office, were his ordinary resources of government. Such a man never did and never could inspire confidence. His actions would be regarded as having some hidden meaning—some deep plan to be fathomed only by himself. Men might become richer, happier, and more prosperous under him; they were hardly likely to become better. The silent diffusion of a sense of moral order, the elevation of mind by the contemplation of a Government subjecting force to law, were no objects at which Wentworth aimed. Wentworth's position

Wentworth's power

CHAP. XIV.

1636.

appeared to be impregnable. Once more, indeed, he had pleaded with Charles for an Earldom as a mark of favour to sustain him against his enemies, and once more he had pleaded in vain.[1] He carried back, however, permission to proceed with the plantation of Connaught. As far as Ireland was concerned, the whole country was placed at his feet. The very gentlemen of Galway who had stood out against him humbled themselves before him, and entreated his good offices with the King.[2]

June. established in Ireland.

Ireland's dependence upon England.

It was impossible to separate Ireland from England. On the one hand, the strength of Wentworth's Government might easily become a menace to the English nation. On the other hand, its own foundation would be undermined by any weakness which might appear in Charles's authority in England.

Apparent strength of Charles's position.

To all outward appearance that authority had never been stronger. Ship-money was paid with reluctance, but reluctance had not yet ripened into defiance. The Judges, the Sheriffs, and the Justices of the Peace were the ready instruments of the King. The Bishops, with a large and increasing number of the clergy, were his enthusiastic supporters. Everything was on his side, except the people of England.

How the Protestantism of England was alienated has been told already. In the summer of 1636 men who cared little for Protestantism were beginning to fear for their pockets. The additional impositions agreed upon by the Treasury Commission in the preceding summer were now levied. The 30,000*l.* which as yet flowed into the exchequer from this source were far from being the measure of the injury resented. In theory

[1] Wentworth to the King, Aug. 23. Laud to Wentworth, Aug. 23, Wentworth to Laud, Aug. 26. *Straf. Letters*, ii. 26, 27, 31.

[2] Notes of the Committee for Irish affairs, July 8, 1636. Galway Petition, Feb. 9, 1637. *S. P. Ireland.*

the King had assigned to himself the right of burdening commerce as he pleased when he levied Tonnage and Poundage without a Parliamentary grant. At last the theory had clothed itself in a practical increase of the duties, and men who were slow to be moved by Eliot's assertion of the privileges and rights of Parliaments were stirred to anger when they found that they had to buy their wine or their silk at dearer rates than before. Other burdens were added at the same time. Country gentlemen were summoned before a Commission of Depopulations, and were fined for pulling down cottages on their estates. The notion that the King was the supreme regulator of trade was finding expression in the erection of new Corporations, which, at least in the opinion of the crown lawyers, were exempt from the operation of the Monopoly Act, but which were allowed to exclude all other persons from the exercise of certain employments. The intention may have been good, but its fulfilment did not serve to increase the popularity of the Government.

Increase of customs.

Fines on Depopulations.

Erection of Corporations.

In the midst of this growing feeling of dissatisfaction, the third writ of Ship-money, the second of those which had been sent out to the whole of England, was duly issued on October 9, 1636. It was no longer possible to regard Ship-money as a temporary burden imposed to meet an emergency. It was evidently intended to remain as a permanent tax upon the nation.

Oct. 9. The third writ of Ship-money.

The resistance to the collection of the last levy had been rather local than national. When the third writ was issued the deficiency of the collection under the second amounted to 20,544*l.*, of which 12,000*l.*, or more than half, was owing by the six counties of Northumberland, Somerset, Warwick, Oxford, Northampton, and Essex[1] The resistance to the third writ was

Deficiency in last collection.

[1] *S. P. Dom.* cccxxxiii. 30.

CHAP. XIV.
1636.

at once raised in the very presence of the King himself. Men of the highest rank, and of the most loyal and devoted character, saw clearly that nothing less than the whole future constitution of England was at stake. Just as Laud's innovations had driven the moderate Protestants into the arms of the Puritans, so did the third writ of Ship-money drive the moderate constitutionalists into the arms of the partisans of Parliamentary supremacy. Doubtless the tide of opposition was swelled by many a stream stained and corrupted at its source. There were men who, in mere gaiety of heart, were ready to plunge England into war, and there were men who, without counting the cost, were ready to stir the fire of civil faction. There were others who hardly knew what they wanted or whither they were going. But the strength of the opposition did not lie here. It was to be found in the fixed resolution of peer and commoner not to allow the hereditary rights of Englishmen to be sacrificed. They had been willing that Parliaments should remain in abeyance for a time. They were not willing that they should be cast aside for ever as obstacles in the path of an arbitrary and irresponsible Government.

Oct. 9. Rising opposition.

Dec. Danby's letter.

The mouthpiece of this class, so little prone to faction and, from the very moderation of its sentiments, so dangerous to offend, was Henry Danvers, Earl of Danby. He was one of those men who allow the prizes of fortune to slip past them. In Elizabeth's reign he had fought bravely in the Low Countries and at sea. As a friend and follower of Essex he had been placed in high office by him in Ireland. His elder brother, Sir Charles Danvers, was involved in his patron's treason, and suffered on the scaffold. He was himself taken into favour by James, made Lord President of Munster, and subsequently Governor of the Channel

CHAP. XIV. 1636. Dec.

Islands. He might at one time have been ambassador in France, with the prospect of succeeding Falkland as Lord Deputy of Ireland, but his health was broken and he shrunk from the exertions of a post which taxed all the resources of Wentworth. He now stepped forward from his retirement to warn Charles of the risk which he was incurring. He told him that as an old servant of the Crown he could no longer refrain from representing to him the universal discontent of his subjects. The new levies of money were repugnant to the fundamental laws of England, and to those privileges which their ancestors and themselves had till the present time enjoyed. It was of the manner in which the money was raised, not of the amount, that they complained. He had spoken to no one who was not ready to shed his blood for his Majesty. He entreated him to reflect that the only way of giving satisfaction to his subjects was to summon Parliament.

The King receives it.

When Danby's letter was placed in the King's hands, he was chatting with some of his attendants. They observed that he changed colour as he read it. When he came to the end he walked up and down the room, showing his displeasure by his gestures.[1]

Charles, in truth, had gone too far to take Danby's well-meant advice. It would doubtless have been easier to come to terms with a Parliament in 1637 than with a Parliament in 1640. But it would have been harder than it had been in 1629. The King would have to consent to some limitation of his authority in Church and State, to abandon the ecclesiastical system which he had carefully built up, and to admit, in some form or other, his responsibility to Parliament.

Charles hoped to content his people with less than

[1] Correr's despatches, Dec. $\frac{2}{12}$. *Ven. MSS.*

CHAP. XIV

1636.

Charles shrinks from summoning a Parliament.

this. He fancied that the inactivity of his fleet in the last summer was the main cause of discontent. He now gave out that better things were to be expected in the coming season. The sovereignty of the sea was to be asserted over the Dutch fishermen. Something was to be done for the Elector Palatine. An active foreign policy was to turn men's thoughts away from domestic grievances.

Dec. 30. Arundel's return.

Before the end of the year Arundel was again in England. He had felt his failure at Vienna almost as a personal insult. Hitherto he had been an advocate of peace and of an alliance with the House of Austria. He came back a changed man: bitterly denouncing the perfidy of Spain, and persistently arguing for a French alliance, even if it should lead to open war.[1]

Charles urged to go to war.

Joyfully did the lords of the Opposition welcome their new ally. Charles was hourly besieged with cries for war and a Parliament. He had no mind for either.

Resistance to Ship-money in Essex.

He turned sharply upon Warwick, in whose county of Essex the collection of Ship-money was as backward as might have been expected in a district still under the lash of the Forest Court.[2] In many places the money could only be obtained by the distraint and sale of cattle: and in one instance a horse which had been sold had been carried off by force from its purchaser by its original owner.

1637. Jan. Warwick called to account.

Charles blamed Warwick as a supporter of this insubordination of his tenants. Warwick's reply was couched in terms far plainer than Danby's letter had been. His tenants, he said, were old men, and had been accustomed to the mild government of Queen Elizabeth and King James. They could not

[1] Correr's despatch, Dec. $\frac{9}{19}$. *Ven. MSS.*

[2] Mildmay to the Council, Dec. 11, 16. *S. P. Dom.* cccxxxvii. 27 41. On Jan. 20, 1,900*l.* were still unpaid in Essex on the second writ. *Ibid.* cccxliv. 50.

bring themselves to consent, at the end of their lives, to so notable a prejudice to the liberties of the kingdom; nor were they willing voluntarily to deprive their posterity of those benefits which they had themselves inherited from their ancestors as a sacred deposit, though they were ready, one and all, to sacrifice life and goods for his Majesty. If only the King would join France in a war for the Palatinate, and would maintain his own sovereignty over the sea, Parliament would gladly furnish all the supplies he needed.

A protest proposed.

Such language had not reached the ears of Charles since Eliot died in the Tower. Warwick, as Charles well knew, did not stand alone. The lords who sympathised with his bold declaration were actually drawing up a protest echoing the words which he had spoken. If this protest ever really came into existence, in all probability it never reached Charles's eye. He allowed it to be plainly understood that he would have nothing to do with a Parliament. To call Parliament was equivalent to an abandonment of the ecclesiastical ceremonies, and for that he was not prepared.[1]

Charles prepares to assist his nephew.

For anything short of that, however, Charles was now prepared. Arundel's vigorous language weighed upon his mind. In vain Oñate protested against the slur cast by the ambassador upon his master's good faith. Charles assured his nephews that he was disgusted with the treatment which he had received from the House of Austria, and was determined to do himself right.[2] He was specially angry at the news that the King of Hungary had been chosen King of the Romans, and that Maximilian of Bavaria had been allowed to

[1] Correr's despatches, Jan. $\frac{6}{16}$. *Ven. MSS.* The protest printed in *Rushw.* ii. 359, may perhaps have been that which eventually was drawn up, but it does not quite agree with Correr's account.

[2] Correr's despatch, Jan. $\frac{13}{23}$. *Ven. MSS.*

CHAP. XIV.

1637.

give an electoral vote. A meeting of the Foreign Affairs Committee decided that some of the King's ships should be lent to the young Elector, to put to sea under the flag of the Palatine House. The Danes and the Swedes were to be invited to co-operate actively in so good a cause.[1] All this Charles fancied he could do without giving offence to anyone. When the resolution of the Committee was referred to the full Council, he asked the opinion of the members how the business could be best effected without breaking in the least with Spain. After much discussion, it was resolved that the ships should be lent. Merchant vessels lying in the Thames were to be pressed to make up the number. The news of the King's concession was received with enthusiastic applause at Court. Noblemen came forward to offer voluntary contributions to lighten the expense. Lord Craven alone declared himself ready to give 30,000*l.* It is not likely that those who thus freely opened their purses expected very happy results from such an enterprise. They knew well that the Palatinate was not to be recovered by the capture of a few Spanish cruisers. But they believed that the conflict, once begun, could not be limited to the sea. When once he was engaged even indirectly Charles would find it impossible to draw back. Oñate had told him that he would not be allowed to make war under his nephew's cloak, and everyone but Charles himself was of opinion that Oñate was in the right.

Jan. 16. Ships to be lent to him.

Jan. 22.

Feb. 1.

Fresh overtures from France.

So too thought the French Government. They could not comprehend how Charles could mean anything but war with Spain. The very day on which the decision was taken in the Council, a courier arrived

[1] Beveren to the States General, Jan. $\frac{6}{16}$. Boswell's proposal at the Hague, Feb. $\frac{6}{16}$. *Add. MSS.* 17,677 P, fol. 148, 161.

CHAP. XIV.

1637. Feb.

with fresh overtures from France.[1] Richelieu no longer demanded the immediate conclusion of a league offensive and defensive. It would be enough for the present if Charles would agree to an auxiliary treaty, as it was called, by which he was to engage to give no help either directly or indirectly to Spain, the Emperor, or Bavaria, to allow Lewis to levy 6,000 volunteers in his dominions, and to put to sea at least thirty armed vessels to guard the coasts of France and England and to hinder the transport of money and munitions to Flanders. On the other hand, Lewis was to make no peace without Charles's consent, or even to treat for it without assurance of the restitution of the Palatinate, Maximilian being, however, allowed to retain the Electoral title for his lifetime. A conference was to be opened at Hamburg or the Hague, at which the allies of France should meet to draw up conditions embodying these demands. If the Emperor refused to grant them, England would then join France in an offensive and defensive alliance. Besides all this, the Elector was at once to be sent to sea at the head of twelve or fifteen ships.

Even the league offensive and defensive, distant as it was, was explained away so as to suit Charles's taste. It was to bind him to nothing more than a maritime war. He was to stop the passage of ships between Spain and the Indies and between Spain and Flanders. Places taken by the French in the Low Countries were to be deposited in the hands of the Elector Palatine as a pledge for the ultimate restitution of his inheritance.

Charles could hardly avoid taking into consideration a proposal so studiously moderate. But he resolved

Charles determines to consult the

[1] Correr's despatches, Feb. $\frac{3}{13}$, $\frac{10}{20}$. *Ven. MSS.* Beveren to the States General, $\frac{\text{Jan. } 27}{\text{Feb. } 6}$, Feb. $\frac{3}{13}$. *Add. MSS.* 17,677 O, fol. 166, 163.

CHAP. XIV.

1637. Judges about Ship-money.

to make sure of his position at home before he entered into any engagement abroad. His right to levy Ship-money was now denied not by isolated persons, nor even by isolated groups of persons, but by the leaders of the nobility, by councillors of state, by men of weight and influence in the country. At least the substance of the protestation drawn up can hardly have failed to come to his knowledge, and he must have heard that an intention existed of bringing the question to an issue in the Courts of Westminster in such a manner that it would be impossible to dispose of the complaint as summarily as Chambers had been dismissed by Berkeley a few months before.

Feb. 2. The King's letter.

Once more therefore Charles proceeded to state his case to the Judges. "Taking into our princely consideration," he wrote, "that the honour and safety of "this our realm of England, the preservation of which is only entrusted to our care, was and is now more nearly concerned than in late former times, as well by divers counsels and attempts to take from us the dominion of the seas, of which we are sole lord and rightful owner and proprietor, and the loss whereof would be of greatest danger and peril to this kingdom and other our dominions,—as many other ways; We, for the avoiding of these and the like dangers, well weighing with ourselves that where the good and safety of the kingdom in general is concerned, and the whole kingdom in danger, there the charge and defence ought to be borne by all the realm in general, did for preventing so public a mischief resolve with ourselves to have a Royal navy provided that might be of force and power, with Almighty God's blessing and assistance, to protect and defend this our realm and our subjects therein from all such perils and dangers; and for that purpose we issued forth writs, commanding

thereby all our said subjects to provide such a number of ships well furnished as might serve for this our royal purpose, and which might be done with the greatest equality that could be. In performance whereof, though generally throughout all the counties of this our realm, we have found in our subjects great cheerfulness and alacrity, which we gratiously interpret as a testimony as well of their dutiful affections to us and to our service as of the respect they have to the public, which well becometh every good subject:—

"Nevertheless, finding that some few, haply out of ignorance what the laws and customs of this our realm are, or out of a desire to be eased and freed in their particulars, how general soever the charge ought to be, have not yet paid and contributed the several rates and assessments that were set upon them; and foreseeing in our princely wisdom that from hence divers suits and actions are not unlikely to be commenced and prosecuted in our several Courts at Westminster; We, desirous to avoid such inconveniences, and out of our princely love and affection to all our people, being willing to prevent such errors as any of our loving subjects may happen to run into, have thought fit in a case of this nature to advise with you our Judges, who we doubt not are all well studied and informed in the rights of our sovereignty; and because the trials in our several Courts by the formality of pleadings will require a long protraction, we have thought expedient by this our letter, directed to you all, to require your judgments in the case as it is set down in the enclosed paper, which will not only gain time, but also be of more authority to overrule any prejudicate opinions of others in the point."

Nature of this letter.

Such a letter speaks for itself. Objectionable as was the practice of consulting the Judges as legal

CHAP. XIV.

1637. Feb. 2.

advisers of the Crown, it was sanctioned by too long a course of precedents to make it likely that it would be lightly abandoned. Hitherto, however, whenever the Crown had asked the opinion of the Judges, it had asked that opinion at least ostensibly to enable it to shape its course according to the law. Charles now openly asked them to promulgate that opinion which he had received from them a year ago, not to enlighten himself, but to hinder his subjects from arguing the disputed question in Westminster Hall. No doubt, as Finch, who was again entrusted with the work of persuasion, afterwards declared, they all knew that their opinion could have no binding force till it had been argued before them by counsel; but neither can there be any doubt that the King wished it to be accepted by his subjects as binding.

The King's case.

The case laid before the Judges was as follows:—"When the good and safety of the kingdom in general is concerned, and the whole kingdom is in danger;—Whether may not the King by writ under the Great Seal command all the subjects of this kingdom, at their charge, to provide and furnish such number of ships with men, victuals, and munition, and for such time as he shall think fit, for the defence and safeguard of the kingdom from such danger and peril, and by law compel the doing thereof in case of refusal or refractoriness?

"And whether in such case is not the King the sole judge, both of the danger, and when and how the same is to be prevented and avoided?"

Feb. 7. Answer of the Judges.

After five days' deliberation, all the twelve Judges returned an answer in the affirmative to both these questions. Croke and Hutton had only signed because they were informed that the practice was that the minority was bound by the opinion of the majority, and Bramston, if we may trust the tradition of his

family, would have preferred to insert words limiting the obligation of furnishing ships to the time of necessity only. But the objection was overruled, and a week afterwards the opinion was read publicly in the Star Chamber by the Lord Keeper as 'the uniform resolution of all the Judges' opinions with one voice.' Orders were given that it should be entered in the Star Chamber, in Chancery, in the King's Bench, Common Pleas, and Exchequer, and that it should be published by the Judges at the Assizes. Coventry, indeed, added that it was not the King's intention to prohibit his subjects from bringing actions if they chose to do so, but he plainly hinted his belief that any lawyer would be very foolish who took up so desperate a cause in defiance of the fathers of the law.[1]

Feb. 14. Their answer publicly read.

The Judges had been fairly launched upon the tide of political conflict. The question which they had been asked to decide was not one to be settled by mere reference to statute and precedent. The sovereignty of England was involved in it, and it was hardly to be expected that more than a small minority of the Judges, dependent as their seats were upon the good pleasure of the Crown, would be quick-sighted to detect the weakness in Charles's case.

Position of the Judges.

Out of the atmosphere of Westminster Hall, however, the solution arrived at by the Judges seemed strange indeed. To men with their eyes open it was perfectly clear that Charles's claim had nothing in common with the demands which the Plantagenet kings had put forward in their hours of peril. Even if it had been conceded, as we at least may fairly concede, that the King had judged rightly that the growth

[1] The King to the Judges, Feb. 2. Answer of the Judges, Feb. 7, *S. P. Dom.* cccxlvi. 11, 14. *Autobiography of Sir J. Bramston*, 68. *Rushw.* ii. 352.

CHAP. XIV.

1637.

Feb. 14.

of the maritime forces of France and the Netherlands constituted a permanent danger to England, which needed to be met by a permanent defence, the men of that day might fairly argue that it was all the more necessary that Charles should take the nation into his counsel. Their common sense told them that it was no question whether the King or the Parliament was the best judge of danger. It was a question whether Parliaments should cease to exist in England.[1] The desire to go back to the old state of things seized upon the minds of Englishmen. Unhappily, under Charles's mismanagement, the old days, when Crown and Parliament could work harmoniously together, had passed away, at least for a time.

It could not be long before the bitter feeling thus aroused would make itself plainly felt. For the present, however, the opinion of the Judges had its weight. Rapidly and surely the collection of Ship-money proceeded.[2] On February 18 the whole sum gathered in upon the new writ was 54,000*l.*, on March 4 it was 68,500*l.*, and the amount had risen to 89,000*l.* by the end of the month.[3]

March.

Feb. 17. The treaty accepted.

On February 17, three days after the Lord Keeper's

[1] The language, incorrect as it is, in which the Venetian Ambassador described the opinion of the Judges is significant of the sense in which it was taken by his informants. They declared, he says, 'che il Rè per difesa del regno et per altri simili gravi urgenze, per il bene del medesimo habbia libera facoltà d' imponer taglie et aggravie a sudditi a voglia sua, senza haverne mai a render conto al Parlamento del bisogno che in qualsivoglia tempo possa astringerlo a tal deliberatione, dovendo esser giudice lui solo et la sua sola conscienza, non obligato à render conto ne dei proprii dissegni ne degl' interessi dello stato, a chi si sia de' suoi vassalli.' The consequence, he goes on to say, will be 'a sradicare in un colpo per sempre la radunanza de Parlamento et a render il Rè in tutto e per tutto independente e sovrano.' Correr's despatch, Feb. $\frac{17}{27}$. *Ven. MSS.*

[2] Correr's despatch, March $\frac{3}{13}$. *Ven. MSS.*

[3] Accounts of Ship-money, Feb. 18, March 4, 31. *S. P. Dom.* cccxlvii. 43, cccxlix. 31, cccli. 56.

1637.

announcement of the opinion of the Judges, the treaty proposed by France, corrected in some minor particulars, was finally accepted by the King.[1] On the 20th it was sent back to France. No one at the English Court entertained a doubt that the French alliance was secure. Full powers were sent to Leicester to conclude everything by March. The moment the news should reach England that the treaty had been signed preparations were to be made for sending the Elector to sea. He was to sail on April 15 with fifteen ships of war, carrying an Admiral's commission from the King of France. Money was expected to pour in from the rich lords and commoners who were anxious to support the enterprise.'[2]

Feb. 20. The King certain that the French alliance is secured.

Never to the inexperienced had Charles's affairs appeared in a more prosperous condition. Opposition at home appeared to be silenced by the declaration of the Judges. Abroad the King seemed to be on the eve of obtaining that which he had long sought in vain —the pledge of a great power to obtain for him the Palatinate, the sole object of his aim upon the Continent, in return for a merely maritime assistance. All this, too, was to be his without any necessity of recurring to Parliament.

Those who applauded Charles's resolution knew well that he was embarking on a course entailing larger responsibilities than he imagined, and that a war once begun indirectly could not be circumscribed at his bidding. If their hearts were a little in the Palatinate, they were much more in England. On the despatches which went forth to Leicester they saw written in invisible characters the supremacy of Par-

[1] Treaties, Feb. 14. *S. P. France.*

[2] Beveren to the States General, $\frac{\text{Feb. 22}}{\text{March 4}}$. *Add. MSS.* 17,677 P, fol. 176.

CHAP. XIV. 1637.

liament, the reorganisation of the Church, and the humiliation of Laud.

Feb. 11. Laud's view of the position.

Laud himself was distracted between hope and fear. But hope predominated. Like his master, he believed in the possibility of limiting the war. "God speed what must go on," he wrote to Wentworth. "But, God be thanked, in all this troublesome business God hath exceedingly blessed his Majesty. For this term the Judges have all declared under their hands, unanimously, that if the kingdom be in danger, the King may call for, and ought to have, supply for Ship-money through the kingdom, and that the King is sole judge when the kingdom is in this danger. So that now the King—if he be put to it—may anger his enemies at sea, and I hope no man shall persuade him to undertake land-forces out of the kingdom. I did fear everything till this point was gained. Now, by God's blessing, all may go well, though it should be war."[1]

Feb. 28. The King applies to Wentworth.

There was one man amongst Charles's subjects who at the same time foresaw his danger and desired to avert it. That man was Wentworth, and to him Charles applied for advice. It was the first time, as far as we know, that his opinion had ever been asked on the larger issues of policy. Wentworth knew too well the arduous nature of the difficulties which had still to be overcome at home before Charles could hope to gather round him a submissive Parliament, to look with anything but the deepest distrust upon the merest shadow of warlike action. To the fortunes of the Palatinate he was utterly indifferent. A rich and prosperous England under his master's sceptre was the ideal for which he strove, and all other considerations were but as dust in the balance.

"I must confess," he wrote in reply, "the services

[1] Laud to Wentworth, Feb. 11. *Works*, vii. 315.

1637.

March 31. Wentworth's reply. The King not prepared for war.

and interests of your Majesty are laid so near and close to my heart as it affects me very much to hear the peace and prosperity of your affairs at home disquieted by entering again into action upon any foreign hopes or engagements abroad, until the Crown were discharged of debts, the coffers filled, and your Majesty's profits and sovereignties set upon their right foot throughout your three kingdoms. And in truth this foundation well and surely laid, what, under the goodness of Almighty God, could be able to shake this monarchy or stay the wheel of your Majesty's triumph?"

To look at home first.

It was 'an acknowledged truth,' he proceeded to say, 'that Kings and common parents ought next to themselves, principally intend the weal and security of their people for whom they are . . . answerable to the world in point of honour and to Almighty God in case of conscience.' The proposed war would certainly bring with it a great charge, and would interrupt that stream of commerce of which England as a neutral State was reaping the benefits. It might fairly be asked whether the King was bound in justice and honour to restore his nephew at all. The misfortunes of that family had not been due to any advice given to it from England. Even if any such duty existed, it was doubtful whether France were either able or willing to give effectual help. It was also to be doubted whether the mere assistance of an English fleet would be sufficient to induce France to fulfil all the promises she might make; and even if this were taken for granted, it must be remembered that a fleet sent to sea was subject to casualties, and that it was useless to send it out without being ready to reinforce it, or even to provide a second fleet if the first were destroyed.

Here, then, came the practical question which

CHAP. XIV.

1637. March 31. How is the fleet to be reinforced.

Charles had so unaccountably overlooked. If the fleet needed reinforcement, what was to be done? Were the subjects to be asked to pay two levies of Ship-money in the same year? If not, what remained but to summon Parliament?

An army necessary.

Further, it is clear that Wentworth wished the King to have the acknowledged right of levying money to pay soldiers, as well as money to pay ships. Thus only would he be able to defend England by keeping his adversaries employed abroad. "It is plain indeed," he continued, "that the opinion delivered by the Judges, declaring the lawfulness of the assignment for the shipping, is the greatest service that profession hath done the Crown in my time. But, unless his Majesty hath the like power declared to raise a land army upon the same exigent of State, the Crown seems to me to stand but upon one leg at home, to be considerable but by halves to foreign Princes abroad. Yet even this, methinks, convinces a power for the sovereign to raise payments for land forces, and consequently submits to his wisdom and ordinance the transporting of the money or men into foreign States, so to carry by way of prevention the fire from ourselves into the dwellings of our enemies—an act which it seems Edward III. and Henry V. full well understood—and if by degrees Scotland and Ireland be drawn to contribute their proportions to these levies for the public, *omne tulit punctum.*

"Seeing then that this piece well fortified for ever vindicates the Royalty at home from under the conditions and restraints of subjects, renders us also abroad even to the greatest kings the most considerable monarchy in Christendom; seeing again, this is a business to be attempted and won from the subject in time of peace only, and the people first accustomed to those

levies, when they may be called upon, as by way of prevention for our future safety, and keep his Majesty thereby also moderator of the peace of Christendom, rather than upon the bleeding evil of an instant and active war; I beseech you what piety of alliances is there that should divert a great and wise King, forth of a path which leads so manifestly, so directly, to the establishing his own throne and the secure and independent seating of himself and posterity in wealth, strength and glory far above any their progenitors, verily in such a condition as there were no more hereafter to be wished them in this world but that they would be very exact in their care for the just and moderate government of their people, which might minister back to them again the plenties and comforts of life; that they would be most searching and severe in punishing the oppressions and wrongs of their subjects, as well in the case of the public magistrate as of private persons, and lastly to be utterly resolved to exercise this power only for public and necessary uses; to spare them as much and often as were possible, and that they never be wantonly vitiated or misapplied to any private pleasure or person whatsoever. This being indeed the very only means to preserve, as may be said, the chastity of these levies, and to recommend their beauty so far forth to the subject, as being thus disposed, it is to be justly hoped they will never grudge the parting with their monies.[1]'

March 31.

Tone of the recommendations.

It is unnecessary to follow Wentworth into the details of his recommendations. Never was any State paper written in which the object and the means by which it was to be gained stand more clearly before the reader. It needs no interpreter to explain its meaning. It is the old, old story of a beneficent

[1] Considerations, March 31. *Straf. Letters*, ii. 60.

CHAP. XIV.

1637. March 31.

despotism, of the monarch who is to cast all personal affections, all dynastic entanglements aside in order that he may establish a power which he may use for his people's good. It was no new thought which had won its way into Wentworth's mind. Once he had looked for his ideal of government to the authority of the Crown exercised in such a way as to deserve the approbation of the House of Commons. In his hatred of the anarchy and disorder which was proceeding from an incapable minister, he had leant more upon the voice of the House of Commons than under other circumstances he would have been inclined to do. Then had come a rude awakening. The House of Commons put forth its hand to grasp the sovereignty of the State, and became in its turn, as it might well seem to him, the fountain of anarchy and disorder. He chose his side. He stood for the King, to bring order out of disorder, discipline out of anarchy. Still there was to be answering acceptance by the governed, no longer from the old political classes, but from 'the new social strata' beneath them, speaking their inarticulate thanks not in parliamentary oratory, but in heartfelt prayers by humble cottage hearths. Every year that he had passed in Ireland had branded this ideal of government more deeply on his mind. It could not be that the medicine which had cured, or seemed to cure, so many ills on one side of St. George's Channel, should fail of its efficacy on the other.

Comparison between Wentworth and Richelieu.

There have been nations in which Wentworth's advice would have been, if not the highest policy, at least the highest possible policy. It is not likely that, with Wentworth's feeling of dislike towards France, there was in him any conscious imitation of Richelieu. But there may well have been an unconscious tendency to aim by the same means at the ends at which Richelieu was aiming. England may well be proud of

possessing in Wentworth a nobler statesman than Richelieu, of the type to which the great Cardinal belonged. He was more solicitous for the internal welfare of his country than Richelieu was, less solicitous for its external greatness. The prosperity of the poor, of the weak, of all who had none to help them, held a larger place in his imagination. But England may be still more proud to remember that she needed not this terrible surgery. In France, to vindicate the throne 'from under the conditions and restraints of subjects' was to cast off the tyranny of a self-seeking nobility entirely devoid of public spirit and aiming solely at enriching themselves at the public expense. It would be to close our eyes to the history of the Parliaments of the early part of the eighteenth century to assert that no danger of the kind awaited England; but the danger was as nothing to the danger which awaited England from Wentworth's success. The great dramatist who had told forth the historical conceptions of the Elizabethan age had held up to admiration in Henry V. a king who could live free from the conditions and restraints of subjects. But he had acknowledged that the imposition of those conditions and restraints upon Richard II. was the last sad necessity of evil rule. He could recount the scenes of the life of John without according even a passing glance to the Barons of Runnimede. He felt no attraction to the great Earl Simon, or the greater Edward I. But he could talk of the Parliament which called Richard II. to account, and yet, whilst acknowledging its action to be a necessity, could dwell upon its janglings and its injustice. To the student of Shakspere there is nothing startling in Wentworth's reliance on the nobleness of kingship rather than on the popular will. But it was none the less a mighty revolution which Wentworth was imagining. That which for Shakspere was the result of

CHAP. XIV.

1637. March 31.

the combined force of ability and character in the ruler, was placed by Wentworth above those conditions. The armed soldiers and the armed fleet which he was anxious to gather for the defence of the throne would fight for a bad governor as well as for a good one; would arm the King against treason and conspiracy, but would also arm him against the natural consequences of his own errors and crimes. Shakspere had seen what Wentworth could not see, that it was better that a government should be levelled in the dust than that it should cease to be answerable for its faults. From the midst of the glories of the Elizabethan age he had proclaimed that principle of the responsibility of the Government by which the English people had been truly great, that principle which is deeply rooted in the highest needs of the human race itself. To this principle Wentworth had become a traitor, an honourable, high-minded traitor it may be, but a traitor still. If Charles had been far greater and nobler than he was, if his will had been the true measure of justice for his generation, nothing short of the assurance of the utter incapacity of the political classes of England for taking part in government at all could have justified Wentworth in choosing to rest the powers of government upon the unchecked will of the sovereign.

Clear perception of all the conditions of action was therefore wanting to Wentworth. He could see nothing in Puritanism but the dry unimaginative contentiousness of a Prynne.; nothing in the political opposition but the greedy brainless agitation of a Holland. Above all, he could not see how utterly unsuitable Charles was to become the corner-stone of the policy which he contemplated. With what ears would Charles hear that Wentworth had recommended him to postpone, if

not entirely to sacrifice, those claims of his sister and her family which had been so near to his heart ever since he came to the throne? With what ears would he hear that in his long exposition of the objects to be aimed at by means of Ship-money Wentworth had absolutely forgotten till twenty days after his letter was written even to mention that scheme for obtaining from the Dutch the payment for the fishing licenses which he looked to as an acknowledgment of his claims to the sovereignty of the seas?[1] Wentworth's political aims would have been equally worthy of condemnation and would have been far more dangerous if a ruler with a spirit as lofty as his own had been upon the throne of England. As it was, he might as well have been engaged in spinning ropes out of the sand of the sea as in building up a potent and absolute monarchy of which the sceptre was to be held in the hands of Charles. It needed not Wentworth's voice to rebuke Charles's fluctuation between peace and war. Already that policy was crumbling away by its own incoherent rottenness. No sooner had the treaty reached France than the French began to raise objections to the alterations which Charles had made in it. In vain Charles urged haste that his nephew's fleet might put to sea. He was told that, though Lewis was himself ready to accept the treaty, he could not ratify it till it had been referred to the consideration of the allies who were shortly to meet in conference at Hamburg. Another summer would thus be lost, an object which it is probable enough that the French, despairing of any real aid from Charles, had in view from the very commencement of the negotiations.[2]

The French treaties referred to future consideration.

[1] Wentworth to the King, Apr. 19. *Straf. Letters*, ii. 64.

[2] Leicester to Coke, March 29; Coke to Leicester, May 6; Leicester to Coke, June 6, 12. *S. P. France.*

CHAP. XIV. 1637.

In vain Charles, in his despair of help from France, had attempted to fall back upon Spain, and had sent Windebank to propose to Oñate one more secret treaty for the Palatinate. Oñate replied by asking what Charles intended to do against France and the Dutch. Then came a renewal of the old dispute, whether Spain was to begin the friendship by restoring the Palatinate, or England by making war with the Dutch. Oñate kept up the discussion. But he wrote home that it was of no importance whatever. Charles, he said, as had been so often said before, was too weak to make war unless he would consent to summon Parliament and to accept it as his master, a thing which both he and his ministers were afraid of. The Spanish Government, like the French, saw clearly that all that was to be done with Charles was to keep him amused. Richelieu and Olivares were well aware that, however much he might talk, he would never act.[1]

Jan. Windebank's overtures to the Dutch fishermen.

Charles's dealings with the Dutch were of a piece with his dealings with France and Spain. Early in the year Windebank had been instructed to write to Boswell, at the Hague, suggesting the probability that, if, instead of negotiating with the State authorities, he would enter into communication with the fishermen themselves, they would all of them cheerfully and unanimously accept his Majesty's gracious offer of licenses and most willingly come under his protection. Boswell was to reinforce this reasoning by a judicious use of money, in promising gratuities and rewards to those that were 'most powerful and likely to make the greatest opposition among them.'[2] Boswell reported that the

[1] Message by Windebank to Oñate, Apr. $\frac{3}{13}$; Philip IV. to Oñate, $\frac{\text{Apr. } 30}{\text{May } 10}$, May $\frac{3}{13}$; Oñate's answer to Windebank, May $\frac{13}{23}$. Answer of the King, $\frac{\text{May } 23}{\text{June } 2}$; Oñate to Philip IV., $\frac{\text{June } 6}{\text{May } 27}$, $\frac{\text{June } 8}{\text{May } 29}$. *Simancas MSS.* 2521, 2575.

[2] Windebank to Boswell, Jan. ? *S. P. Holland.*

fishermen were not averse from the proposal, but that they wished to know how the King of England's licences were to protect them against the cruisers of the Cardinal Infant. If the Government at Brussels would acknowledge their sufficiency, the offer would be worth thinking of. The next best thing would be to induce the Cardinal Infant to support the King's licenses with passports of his own, if it were only for the present season. It was unreasonable to ask them to depend merely on the protection of the English fleet. If Boswell would settle the matter for them, they would gladly place 1,000*l.* at his disposal.[1] After some further haggling, the sum was raised to 2,000*l.* With Charles's full approval the money was forwarded to Gerbier at Brussels, to use as he thought best in gaining over the Spanish authorities.

April. Negotiations at Brussels.

Gerbier was an adept at such intrigues. He bribed the mistress of the Cardinal Infant. He made pressing instances with the brother of the leading minister, President De Roose. He was successful even beyond his expectations. The Cardinal Infant was won to promise the passports which Gerbier had been instructed to demand. Then in the moment of triumph the cup was dashed from his lips. The old Marquis of Fuentes, who was the King of Spain's Admiral in those seas, protested that he would pay no attention to any passports which did not come direct from Madrid. If the Cardinal Infant were to go down on his knees to him on behalf of the Dutch fishermen, he would not spare a single herring boat. He repudiated the authority of the Brussels Government to send him such orders on such a subject.[2]

[1] Boswell to Windebank, Feb. 28. *S. P. Holland.*

[2] Windebank to Boswell, March 27; Boswell to Gerbier, Apr. 24;

CHAP. XIV.

1637. Northumberland's fleet.

If this easy and prearranged triumph was not to be gained, it was hard to say what was to be done with the great Ship-money fleet of which Northumberland once more took the command. Charles could not possibly know for some months to come whether he was to be at war or not, and there were no signs that either a French or a Spanish navy was inclined to test his pretensions in the Channel. It was not till the beginning of June that Northumberland joined the fleet. After convoying the Elector Palatine and Prince Rupert to Holland, he sailed down the Channel to meet with nothing but a few poor fishermen between Dover and the Land's End. He himself felt bitterly the contrast between promise and performance. "No man," he wrote, "was ever more desirous of a change than I am to be quit of my being in a condition where I see I can neither do service nor gain credit."[1]

July. Attempt to distribute fishing licenses.

It would be well for Northumberland if he did not actually lose credit by his employment. When it was known that no passports would be granted at Brussels, Northumberland was ordered to make an attempt to induce the Dutch fishermen to take the licenses without them. He was to send a merchant ship, lest the King's flag should be exposed to the disgrace of a refusal, and in the uncertain state of Charles's relations with the continental powers, he was unwilling to employ force.[2] Captain Fielding was accordingly despatched to the fishing boats, to offer the King's protection against the Dunkirk privateers if they would only consent to take the licenses.

Boswell to Windebank, May 13, May 21; Windebank to Boswell, June 15. *S. P. Holland.* Gerbier to Windebank, Apr. 22, 29; Gerbier to Boswell, May 9. *S. P. Flanders.*

[1] Northumberland to Roe, Aug. 6. *S. P. Dom.* cccIxv. 28.

[2] Windebank to Northumberland, July 3, 6. *Ibid.* cccIxiii. 21, 41.

CHAP. XIV.

1637. July 18. The licenses refused.

Fielding carried out his orders. He found six or seven hundred boats busy with the fishery off Buchan Ness. He found too that they were guarded by twenty-three men of war of their own country. The Dutch admiral absolutely refused to allow him even to speak to a single fisherman.[1]

The story to be contradicted.

The story of course got abroad. Windebank at once sent orders to the fleet to explain it away. By the King's special command he directed Northumberland to give out that Fielding had not been sent to offer licenses at all. He was to say that the purpose of his mission had been to give notice to the fishermen 'of the forces prepared by the Dunkirkers to intercept them in their return, and to offer them his Majesty's protection, but no licenses;' the story 'of the licenses being to be cried down, and the other to be avowed and reported through the whole fleet.' "To which purpose," continued Windebank, "your lordship is to instruct Captain Fielding, whom his Majesty understands to have been too free in spreading the former report, and therefore he is to be admonished to be more reserved hereafter in such great services, and in the meantime to make reparation by divulging this, and suppressing the former."[2]

Appearances of success.

This then was the King who was to free the English monarchy from the conditions and restraints of subjects. Outwardly all might yet seem to be well with him. "Eight years," to use the words of that patient and diligent investigator whose labours have done so much to facilitate the task of the historian,[3] "had elapsed since a Parliament had been called together, and there

[1] Fielding to Windebank, July 24. *S. P. Dom.* cccl xiv. 45.

[2] Windebank to Fogg, Aug. 10; Windebank to Northumberland, Aug. 10. *Ibid.* cccl xv. 51, 53.

[3] Bruce, *Calendar of Domestic State Papers*, 1636–7. Preface i.

CHAP. XIV. 1637.

seemed no reason to suppose that any person of the then present generation would ever hear 'that noise,' to use the language of Archbishop Laud, again. The King was in the prime of life, in excellent health, devoted to active exercise in the open air, happy in his domestic relations, attentive to business, and as attached to the new thorough principles of government as even Laud or Wentworth, or the most devoted of their adherents. Time and chance, of course, happen to all men, but so far as the King was concerned, there seemed no probability of any change for many years to come. The Queen's accouchement had added a fifth to the arrows in the royal quiver. Two sons and three daughters [1] set at defiance all ordinary chances in reference to the succession, and the likelihood seemed to be that long ere the father was called away, the eldest son, then in his seventh year, would be out of tutelage, and that, on his father's death, he would be fully competent to ascend the throne, and carry on the government according to what would then be regarded as the settled principles of the English constitution.

Nature of the Government.

"The new mode of government was of that kind which is the simplest in the world. It was the English constitution with that which is supposed to give it its life and vigour—the Parliament—struck out. The Council took its place, and, with something like a shew of following former precedents, the Council really regulated all things according to its own notions of right and wrong. In cases of importance, or cases in which the question at issue affected the interests of the State, the King was always ready to give their sittings and determinations the sanction of his presence and authority, and . . . he was no silent member of what

[1] Charles. May 29, 1630; Mary, Nov. 4, 1631; James, Oct. 13, 1633; Elizabeth, Jan. 28, 1635; Anne, March 17, 1637.

was then the only public deliberative body in matters of government. On the contrary, he led and controlled its decisions with a lofty regal peremptoriness which rebuked all doubt and negatived the possibility of opposition.

Charles and his ministers.

"There is in this respect a very great difference between the Charles of the first few years of his reign and the Charles of 1637. Under Buckingham, the favourite was everything; he governed alone; the King scarcely intermeddled with business, was seldom heard of in such matters, and still more seldom seen.[1] . . . Since Buckingham's death, King Charles had become well versed in business, was informed of whatever was going on, attended meetings even of committees, directed their decisions, and when not present, was consulted in all important matters. The government was thus really and truly his, not by a complimentary official figment, but by actual interference with its management and direction."

That government was now, to all appearance, at its height of power. The Declaration of the Judges seemed to have given Charles for ever the legal possession of resources which placed him above all necessity of submitting his will to restraint. In reality that Declaration was the signal of his decline. It flashed in the faces of his subjects the truth which in their enduring loyalty they had been slow to learn, the truth that their property, their rights and liberties had passed into the keeping of a single man. That man was not indeed uninfluenced by nobler aims. He wished his people to be happy and

[1] I omit here "Laud, on the contrary, ruled the country through and by the King," because it implies that Laud bore sway in Civil affairs to a greater extent than he did. There were plainly other influences at work to which Charles succumbed as he did not in Buckingham's time.

CHAP. XIV. 1637.

peaceful, above all to be orderly and virtuous under his sway. But he had neither intellectual insight nor force of character to enable him to carry out his ideal into practice. Ever, with him, large designs were followed by paltry performances; irritating interference with the habits and opinions of his subjects led to no result worthy of the effort. His was a government not of fierce tyranny, but of petty annoyance. It was becoming every year not more odious, but more contemptible. It inspired no one with respect, and very few with goodwill. In 1636 the silence of the crowds which witnessed the King's entry into Oxford had given evidence of the isolation in which he stood. In 1637 the shouts of anger and derision in Palace Yard and in the streets of Edinburgh were the precursors of change, the voices which ushered in the coming Revolution.

APPENDIX.

I.

FINANCIAL TABLES.

It is, I fear, altogether impossible to obtain a complete account of the revenue due, and the expenditure incurred in each year of the reign. The accounts of revenue received and of payments actually made can easily be calculated; but they would serve no useful purpose, as a great part of them would consist in the former case of anticipated revenue of future years, and in the latter case of arrears due in former years. I have, however, been able to recover three full accounts of the years 1619, 1623, and 1635 (*S. P. Dom. James I.* cx. 35, clviii. 59, *Charles I* cccxiv. 84), which supply what is needed as far as the ordinary revenue and expenditure is concerned. Some of the heads, as given in the MSS., have been put together in Tables, to make comparison easy.

Table 3 does not profess to give the whole of the extraordinary expenditure, but simply that ordered by Letters of Privy Seal, as found in the Inrolments of Privy Seals, or the Auditors' Privy Seals. I believe, however, that except in the case of payment of interest and payments to ambassadors, for both of which a running order was frequently given, we have here nearly the whole expenditure incurred in the year. Sometimes, but not often, the Privy Seals were for past expenses. As the Table has been compiled from many hundreds of separate documents, in some of which it is not easy to see whether the expenditure is to be reckoned as ordinary or extraordinary, some margin must be allowed for error. As in the case of the former Tables, the many calculations which exist of extraordinary payments made in the year serve no useful purpose, as the expenditure was often incurred many years before.

Table 4 is compiled from the *Breviates of the Receipt*, except when they are missing, when recourse has been had to the receipt books themselves, at the risk of additional error, from the multitude of entries from which selection had to be made. On the whole, though these Tables are not all that I could wish them to be, I can present them as the best attainable after no inconsiderable trouble taken over them.

Table 5 comes from *Harl. MSS.* 3796, fol. 27.

Tables 6 and 7 come from *Add. MSS.* 18,004, fol. 24, and *Harl. MSS.* 3796, fol. 26.

The former gives the expenditure paid, not, as Table 3, the expenditure ordered.

Table 8 is taken from the *Breviates of the Receipt*, care being taken to add in the Assignations by which part of the fines were granted to particular persons.

1. *Ordinary Receipts of the Exchequer.*

		1619		1623		1635	
		£	£	£	£	£	£
Customs and impositions	Great customs and silks	156,000		160,000		150,000	
	Wines and currants	58,505		43,450		60,347	
	New impositions	57,398		61,472		53,091	
	Pretermitted customs	...		23,269		17,667	
	Alum	10,000		9,600		11,000	
	Sea coals	6,300		8,330		8,300	
	Sugar	5,000		2,000		2,000	
	Tobacco	5,000		8,380		10,000	
	Unwrought cloths	1,000		1,000		1,000	
	Threepence on strangers' goods	3,000		2,794		2,883	
	Seizures of uncustomed goods	800		800		341	
	Cottons and baizes	200		200		200	
	Chief butlerage	500		500		500	
	Gold and silver lace	200		250			
	Old and new drapery	997		997		997	
	New impositions on lead and wine	...		...		9,500	
	Exported seal coals	...		...		100	
	Starch imported					200	
			284,900		323,042		328,126
Land and feudal	Receivers General	79,993		82,834		90,696	
	Duchy of Lancaster	12,410		12,872		10,855	
	Court of Wards	29,826		37,075		53,866	
	Duchy of Cornwall	12,000		12,000		14,880	
	Revenue of the Pipe	10,244		9,533		8,147	
	Hanaper and Alienations	12,327		15,355		12,913	
	Respite of homage and reliefs	851		839		882	
	Dover Castle rents	93		100		101	
			157,744		170,608		192,340
Miscellaneous	Tenths and firstfruits of clergy	18,072		18,137		19,359	
	Recusants	6,300		5,000		13,408[1]	
	Faculties	285		366		624	
	Issues of jurors	1,000		1,000		1,000	
	Clerk of the market	400		400		336	
	Mint	4,600		6,753		5,984	
	Star Chamber fines	1,400		1,400		3,964	
	New Year's gifts	1,200		1,200		2,284	
	Estalled debts and seizures	2,300		1,800		1,830	
	Greenwax and other fines	3,060		3,060		4,585	
	Post fines	2,272		2,272		2,272	
	New River	...		325		...	
	Wine licenses	2,768		2,952		2,830	
	Tobacco licenses	...		...		8,699	
	Patents of manufacture	1,683		1,588		408	
	Composition for purveyance	...	...			30,330	
			45,340		46,253		97,913
	Total		487,984[2]		539,903		618,379[3]

[1] In another page, giving the sums expected in the actual year, the Recusant fines are calculated at 20,000*l*.

[2] In the MS. it is 487,784*l*.; but the MS. is a draft with many alterations, so that the mistake is easily accounted for. This statement is on a balance of five years ending 1635.

[3] As the money received for purveyance is omitted in the earlier accounts, they should stand for purposes of comparison at 518,314*l*. for 1619; and 570,233*l*. for 1623.

2. Ordinary Expenditure of the Exchequer.

	1619		1623		1635	
	£	£	£	£	£	£
Privy purse	6,200		6,200		5,000	
The Queen	...		...		32,594	
The Prince of Wales	53,177		56,427		...	
Prince and Duke of York	...		...		15,833	
Queen of Bohemia and family	...		...		19,150	
Cofferer of the Household	51,984		58,221		107,925[1]	
Treasurer of the Chamber	26,000		30,000		32,545	
Wardrobe and robes	24,016		24,016		31,261	
Grooms of the Bedchamber	170					
Gentlemen Pensioners	6,000		6,000		6,000	
Master of the Horse	1,600		1,600		1,671	
Livery and sundries for the Guard	1,150		1,250		1,590	
Works	10,000		10,558		10,162	
Repairs, parks, lodges, &c.	4,659		3,864		5,483	
Angel gold for the king's evil	728		728		1,280	
Alms, bounty, and New Year's gifts	2,732		3,932		2,284	
Jewel-house	5,000		5,000		5,810	
Masques, revels, and tents	500		3,560		3,148	
		193,916		211,356		281,736
Navy	29,268		29,703		41,570	
Castles and forts	8,790		8,790		13,547	
Ordnance and armoury	6,400		6,400		6,400	
Gunpowder	6,400		6,400			
Late garrison at Berwick	2,150		2,065		590	
		53,008		53,358		62,107
Diets of Judges and officers	8,695		5,297		7,176	
Secret intelligence	1,400		1,400		1,400	
Ambassadors	12,000		15,333		20,200	
Master of the Posts	3,004		3,174		4,225	
Expenses of the Exchequer and rewards to officers	2,350		3,220		4,123	
Ireland	20,000		20,000			
Tower and Gatehouse	4,400		4,400		2,000	
Fees	25,658		24,000		41,628	
		77,507		76,824		80,752
Perpetuities for colleges and hospitals, &c.	4,729		92,527		5,311	
Annuities and pensions	72,826				131,099	
Defalcations	20,041		36,798		53,908	
Charges of collection	19,487		19,278			
Creation money	846		..		1,623	
Interest of money	...		..		20,000	
		117,929		148,603		211,941
Total		442,360[2]		490,141		636,536

[1] This probably contains the expenditure of the 30,330*l.* of composition for purveyance shown in Table I. If so, it should stand for purposes of comparison at 74,595*l.* It should be remembered that in 1619 and 1623 James was a widower, and that in 1618 the expenses of the Cofferer had been 75,060*l.*

[2] 442,760*l.* in MS.

3. *Extraordinary Expenditure directed*

	1625–6	1626–7	1627–8	1628–9
	£	£	£	£
King James's funeral	17,000		5,789	56
The Queen	...	...	...	...
Soldiers in Low Countries	25,932	77,798		
Mansfeld's army	40,000	5,247	50	...
Cadiz expedition	255,928[1]	4,699	1,109	...
Assistance to Denmark	30,000	70,750	43,960	54.3 4
Lord Willoughby's expedition		163,858		
Expedition to Rhé		225,373	169,301	8,622
Attempted relief of Rochelle	...	...	235,589	36,732
Dulbier's horse	...	...	30,000	26,000
Expedition to the Elbe	...	9,520	1,686	...
Hamilton's expedition	...	...	...	...
Repairing and building fortifications	1,076	4,803	300	263
Ordnance	12,515	30,402	...	...
Gunpowder and saltpetre	...	14,000	...	...
Navy extraordinaries	47,566	175,255	20,235	21,265
Allowances to Burlamachi and Calandrini				
Repayment of loan	49,698	32,300	7,295	65,000
Redemption of jewels	...	...	...	...
Resumption of grants	17,510	8,783	7,364	216
Arrears of journey to Spain	...	...	39,836	
Wardrobe arrears	65,521	8,508	7,664	...
Interest	...	2,200	19,410	8,507
Purchase of lands	...	...	450	2,020
Purchase of the hereditary jurisdictions of Aberdeen and Inverness				
Purchase of lands for bishoprics in Scotland	2,000			
Journey to Scotland	...	...	...	...
Special and secret service	76,373	17,900	56,200	30,299
Free gifts	31,137	13,720	6,095	5,250
Jewels and plate	26,321	60	21,752	20,423
Statues and pictures	120	2,360	...	2,408
Masques	300	1,413	650	...
Extraordinary ambassadors	6,477	12,356	8,180	1,000
Reception of foreign ambassadors and visitors	15,231	2,380	1,664	
Works and buildings	5,780	2,620	781	140
Chapel at Somerset House	...	...	...	...
Rewards and sundries	14,754	4,485	11,125	7,125
Total	741,239	890,790	696,485	289,680

[1] Exclusive of 112,329*l.* by P. S. of Dec. 31, 1624.

by Letters of Privy Seal.

1629–30	1630–1	1631–2	1632–3	1633–4	1634–5	1635–6	1636–7
£	£	£	£	£	£	£	£
9,698	5,234	2,297	3,514	4,810	4,301	2,770	16,336
...	...	10,000					
1,000	...	...	100				
47,447	400						
4,000	759	...	12,890				
15,209							
...	...	...	320				
...	11,000[1]	15,015[2]					
197	4,282	...	2,704	1,000	3,228	202	
...	...	...	...	...	8,000	1,178	818
...	...	...	...	...	...	...	4,035
14,681	51,843	11,422	18,231	87,549	18,062	109,997	
33,311	11,145	20,571	...	52,094			
32,000	24,000	14,630	10,660	7,150	5,614	...	150
3,570	19,000	800	...	...	...	47,500	
11,771	1,000	7,000	132	891	5,928	...	3,125
...	3,648	...	4,500	194	15,949	4,265	9,956
877	11,168	11,757	...	9,148	2,766	5,104	7,304
2,050	8,800	1,000	...	3,272	750		
...	...	...	...	...	...	...	8,771
...	...	...	...	...	...	22,000	
9,500	...	...	5,921	783			
1,900	20,730	22,125	5,300	18,804	12,800	18,500	12,500
15,237	17,133	5,720	7,500	3,370	20,100	1,550	500
11,600	9,030	13,617	9,674	9,233	8,566	6,000	9,566
...	5,881	3,658	4,033	444	330	1,073	5,201
4,883	1,700	1,450	...	1,320	1,933	...	74
...	47,577	18,123	21,343	15,183	1,248	6,664	26,930
2,116	800	988	200	375	393	2,407	455
476	647	801	680	1,935	4,243	3,577	2,217
1,500	2,650	...	...	2,000			
18,303	16,070	17,841	3,597	7,789	15,623	6,555	2,282
241,326	274,497	178,815	111,299	227,344	129,834	239,342	110,220

[1] Entered as a gift to Hamilton.

[2] 12,000*l.* of this entered as to Hamilton for special service.

4. *Extraordinary*

	1625-6	1626-7	1627-8	1628-9
	£	£	£	£
Fines on leases	17	12,798	12,510	10,030
Sale of lands and woods	16,360	41,824	94,296	36,847
Spoil of woods	...	...	14	...
Sale of provisions from the household	4,474	...		...
Sale of iron ordnance and gunpowder	...	...	...	...
Brewery licenses	...	...	...	...
Sale of amber and cinnamon	...	...	...	...
Sale of tobacco				
Sale of plate and jewels	...	9,940	...	...
Admiralty profits	...	...	...	...
Prize goods and ships	10,588	49,243	139,669	5,981
Privy Seal loans	27,588	13,450	2,173	632
Loans from private persons	87,500		4,033	77,300
Forced loan	...	56,428	103,096	26,843
Loans on mortgage	...	...	110,504	40 000
Subsidies	74,879	90,384	17,691	201,191
Knighthood fines	...	...		...
Reliefs	...	...	...	...
Building fines	...	...	...	...
Licenses for the sale of tobacco	...	...	...	...
Money from Ireland	...	...	...	...
The Queen's portion	116,229	...	700	...
Defective titles	136	287	471	...
Free gifts and money paid for the war	79	16,748	...	7
Soapmakers	...	...	...	...
Issues of the Privy Purse	...	...	...	...
Depopulation fines	...	...	...	...
Ship-money	...	...	...	...
Fines for transactions in the Forest of Dean	...	...	...	...
Contract with Cornelius Vermuyde	...	...	...	...
Felons' goods	...	...	...	...
Payments for rectories	...	...	...	...
Licenses and fines for eating flesh in Lent	...	...	...	...
Old debts and repayments	...	...	...	...
Total	337,850	291,102	485,157	398,831

Revenue.

1629–30	1630–1	1631–2	1632–3	1633–4	1634–5	1635–6	1636–7
£	£	£	£	£	£	£	£
75	28	72,004	8,510	23	80	1,039	465
90,755	25,411	44,175	14,114	13,488	20,547	11,700	13,343
12	...	...	...	...	...	15	
...	16,633	...	...	9	...	26,234	8,000
						7	
...	...	...	2,600	...	...	1,100	
6,557	78						
7,000	7,350	6,581	...	200	...	...	744
2,521	4,660	4,085	...	...	2,000		
50							
54,000	25,000	10,000	500	...	15,973	10,000	
1,375	642	...	10	...	9		
188,427	22,947	20,540	17,012	18,222	18,277	18,830	2,851
423	74,311	80,997	12,007	5,128	5,612	872	672
...	...	....	...	...	100	...	100
..	2,000	...	...	1,254	5,275	3,974	
...	...	...	...	...	9,320	1,750	521
...	...	...	...	7,021	4,692	5,859	5,184
...	...	...	50,274				
...	...	731	140	100	3,602		
1,000	5,000	...	...	742			
...	...	...	...	2,247	2,000	2,268	
7,500	1,200	6,700	...	16,000	2,000	17,000	14,915
...	...	...	...	...	...	2,850	9,999
...	...	...	...	...	...	23,324[1]	
...	...	...	...	...	...	...	11,000
...	...	12,000					
...	...	1,750	...	...	...	6	
...	...	...	...	285	259	164	107
...	...	...	38	4			
118	20	35	...	100	5,266	4,132	640
359,813	185,280	259,598	105,205	64,823	95,012	131,124	68,541

[1] This only represents the early payments on the First Writ which alone were paid into the Exchequer.

5. *The King's Debts, July* 30, 1635.

	£
Anticipations	370,000
Surplusages of accounts	100,000
Jewels in pawn	40,000
Navy	48,000
Wardrobe	83,655
Several persons	160,000
Ambassadors	32,000
Captains of castles and garrisons	22,000
Household	50,000
Posts	34,000
Ordnance	17,543
Robes	8,500
Captain Mason for Colonels and Captains	8,500
Arrears for fees, &c.	199,000
	£1,173,198[1]

6. *Extraordinary Payments to Easter,* 1635.

	£
Year ending Easter, 1626	364,426
,, 1627	469,391
,, 1628	585,448
,, 1629	407,006
,, 1630	301,067
,, 1631	217,356
,, 1632	198,296
,, 1633	114,663
,, 1634	123,503
,, 1635	66,441
	£2,847,597

[1] In the MS this is wrongly added up 1,163,655*l.* A debt owed to the Earl of Holland (fol. 34), for which he claimed 17,192*l.* is not included as being under dispute.

7. *Extraordinary Receipts to April* 22, 1635.

	£	s.	d.
Compositions for knighthood	173,537	9	6
Loan on mortgage from citizens of London	60,000	0	0
Loan from particular persons	221,006	5	4
Loan on Privy Seals	40,932	15	10
Forced loan	188,209	11	11½
Subsidies granted to the late King	55,700	5	7½
Subsidies granted to Charles I.	556,686	14	7
French goods, prizes and wrecks	217,468	17	7
Tenths of the Admiralty	20,131	1	10
The Queen's portion	163,803	8	2½
Fines of leases of customs and impositions	105,445	0	9
Gifts for maintenance of the war	23,289	7	10
Sales	54,640	7	11½
Privy purse	33,400	0	0
Money from Ireland	11,812	11	10
Tobacco licenses	10,220	0	0
Fines for buildings	8,547	6	8
Sale of lands and woods	651,474	0	7
	£2,596,305	6	1

8. *Star Chamber Fines Paid.*

	£	s.	d.		£	s.	d.
1625–6	227	16	8	1631–2	1,810	10	0
1626–7	248	13	4	1632–3	1,415	16	10[4]
1627–8	1,501	0	0[1]	1633–4	6,795	11	3[5]
1628–9	290	16	8	1634–5	7,357	16	2[6]
1629–30	1,508	12	10[2]	1635–6	5,415	14	1[7]
1630–1	2,321	0	0[3]	1636–7	2,278	18	3½

[1] 500*l.* of this is paid by Philip Holms.
[2] 1,200*l.* „ R. Chambers.
[3] 2,000*l.* „ John Trott.
[4] 500*l.* „ H. Sherfield.
[5] 2,000*l.* „ Lord Seifield in Ireland.
1,370*l.* „ A. Roper.
1,500*l.* „ F. Vyvyan.
[6] 3,000*l.* „ G. Mynn.
[7] 3,630*l.* „ A. Roper.

II.

Cases of Ministers suspended or deprived by the Court of High Commission, February 18, 1634–*May* 19, 1636.

It has been so often said that the High Commission deprived ministers in large numbers, that I have thought it worth while to draw up a list of all cases of deprivation or suspension during the period of two years and three months, for which the Act Books have been preserved (*State Papers Domestic*, cclxi., cccxxiii.). It should be remembered that these years begin very shortly after Laud's accession to the archbishopric, and they are therefore exactly the years in which the action of the Court would be likely to be most vigorous. The names in small capitals are those of persons in respect of whom the sentence was wholly remitted. Those in italics are those of persons who subsequently, before May 19, 1636, received permission to continue the exercise of their ministry anywhere but in the cure held by them at the time of their deprivation or suspension.

1. *Deposed from the Ministry.*

1634. Mar. 3. Reginald Carew, for attempt to commit a rape.
June 26. Theophilus Brabourne, for promulgating the opinion that Saturday should be observed as the Sabbath.

2. *Deprived of Benefice and suspended from the Ministry.*

1634. Oct. 9. *Anthony Lapthorne*, for omitting large parts of the service, and reviling his parishioners and the neighbouring clergy.
June 4. Richard Murray, for acting as warden of a collegiate church without taking the prescribed oath, and for dilapidating the property entrusted to his charge.

1634. Nov. 20. Edmund Lyneold,[1] for refusal to conform.
1635. Nov. 2. *Stephen Dennison*, for personal abuse of his parishioners.

3. *Suspended from the exercise of the Ministry.*

1634. Nov. 4. John How, for praying that the Prince 'might not be brought up in Popery, whereof there is great cause to fear.'
Nov. 6. *Francis Abbott*, making a disturbance in church, and reviling his parishioners and the neighbouring clergy.
1635. Feb. 5. George Burdett, for preaching against the ceremonies, and refusing to bend the knee at the name of Jesus, &c.
Feb. 19. Edward Prowse, for obtaining a presentation on false pretences.
Apr. 25. John Workman, for preaching against dancing, declaring it to be idolatrous to possess a picture of the Saviour, &c.
Nov. 12. William Frost, for drunkenness.
Nov. 26. Samuel Ward, for attacks on the ceremonies and discipline of the Church.
Nov. 26. CHARLES CHAUNCEY, for agitating against the removal of the Communion Table in a parish not his own.

[1] He was at first deprived of his benefice, but the sentence was changed to suspension on his expression of readiness to confer with his Bishop. The result must have appeared in the succeeding volume, which has been lost.

INDEX.

ABBOT, GEORGE, Archbishop of Canterbury, is restored to Charles's favour, and agrees to the King's declaration, i. 38; consecrates a chapel at Dulwich, 288; takes part in the consecration of St. James's, Aldgate, 290; wishes to hinder the publication of a reply to Prynne's *Lame Giles his haltings*, 293; lectures separatists in the High Commission, 300; death of, ii. 1; character of his last report, 3
Abbott, Francis, his behaviour in church, ii. 212
Aberdeen, assembly at, i. 325; opposition to Puritanism at, 365
Administrator of the Palatinate. *See* Simmern, Duke of
Admiralty, not given away after Buckingham's death, i. 1
Aerssens, Francis, intercepted letter of, ii. 78
Alablaster, Dr., his sermon at Spital Square, i. 75
Alexander, Sir William, his claim to Canada, i. 190
Alington, Sir Giles, fined by the High Commission for marrying his niece, i. 298; pardoned, 299
Alsace, the French in, ii. 56
Altar, the name of, given to the Communion Table, i. 29; opinion of Andrewes upon, 30, note 3
Ambrose, Dr., refuses to preach at Hamburg without a Prayer Book, ii. 19
Ames, Dr., his *Fresh suit against human ceremonies*, ii. 20
Amsterdam, attempt of John Davenport to settle himself at, ii. 22
Anderson, Sir Henry, is guilty of a riot, ii. 173
Andrewes, Lancelot, Bishop of Winchester, his opinion on the sacrifice in the Eucharist, i. 30; consecration of a chapel by, 288; *his form for* the consecration of churches, 289, note 1
Andrews, Dean of Limerick, becomes Bishop of Ferns, ii. 143
Anne of Austria, Queen of France, intrigues against Richelieu, i. 224; writes to Henrietta Maria on behalf of Lady Purbeck, ii. 251
Annesley, Lieutenant, disorderly conduct of, ii. 297
Annesley, Mr., drops a stool on Wentworth's foot, ii. 298
Annesley, Sir Francis, opposes Falkland, ii. 116; becomes Lord Mountnorris, 124. *See* Mountnorris, Lord
Anstruther, Sir Robert, ordered to assure the King of Denmark of eventual aid, i. 9; is expostulated with by him, 128; sent to negotiate with the Emperor, 212, 217; fails to obtain concessions, 221; learns the Spanish terms, 228; recalled from Vienna, 249; sent to Oxenstjerna, 260; negotiations of, at Heilbronn, ii. 50; attends a meeting at Frankfort, 64; receives a rebuff from Oxenstjerna, 87
Appello Cæsarem, language of its concluding paragraph, i. 20; it is called in, 38
Apsley, Sir Allen, Governor of the Tower, depended on by the King, i. 120
Aristotle, Laud's reverence for, i. 156
Arminianism, suppression of, demanded by the Commons in 1628, i. 20; attack of Rouse on, 52; resolution of the Commons on, 59; Eliot's view of, 60; declaration of the Commons against, 99
Army in Ireland, its numbers, ii. 109; its want of discipline, 116; contribution for its payment agreed to, 113, 121; its discipline improved, 123

ART

Articles of Religion, the, the King's declaration prefixed to, i. 35; validity of clause in, questioned, 67; acceptance of, by the Irish Convocation, ii. 143

Articles, the Five, proposed by James, i. 326; consideration of, postponed, 327; recommended to the clergy, 334; partially adopted, 335-339; laid before the Assembly at Perth, 340; accepted by it, 343; confirmed by Parliament, 345; enforced with difficulty, 347; partially suspended, 350

Arundel, Earl of (Thomas Howard), returns to the Privy Council, i. 8; argues in favour of the removal of the Communion Table, ii. 15; named a commissioner to treat with France, 95; is selected for an embassy to the Emperor, 201; shows his pictures to Panzani, 240; receives his instructions, 265; goes unwillingly, 266; failure of his embassy, 267; is ordered to remain at Vienna, 268; is recalled, 271; declares for war on his return to England, 316

Assembly, the General, meets at Aberdeen and orders the preparation of a liturgy, i. 325; meets at St. Andrews and consents to the administration of Communion to the sick, 335; meets at Perth, 340; passes the five articles, 343

Aston, Lord (Walter Aston), appointed ambassador at Madrid, ii. 180

Attorney-General. *See* Heath, Sir Robert; Noy, Sir William; and Bankes, Sir John

Augsburg, liberated by Gustavus, i. 239

Austria, the house of, close alliance between the two branches of, ii. 63

Aytona, the Marquis of, takes a leading part in the government of the Spanish Netherlands, ii. 55

BACON'S opinion of Pembroke, i. 165

Bagg, Sir James, case of, in the Star Chamber, ii. 186

Balfour, Sir William, sent to the Netherlands, i. 227

Ballad on the new Churchman, ii. 232

Balmerino, Lord (John Elphinston), shows the supplication of the Opposition to his notary, i. 367; is tried and found guilty of concealing a libel, 369; is pardoned, 371

Baltimore, Lord (Cecil Calvert), founds the colony of Maryland, 287

—Lord (George Calvert), founds a colony in Newfoundland, and projects the settlement of Maryland, ii. 287

BIN

Banbury, Puritanism of, ii. 190; resistance to ship-money in the hundred of, 191

Bancroft, John, Bishop of Oxford, ii. 18

Baner, gains a victory at Wittstock, ii. 271

Bankes, Sir John, becomes Attorney-General, ii. 77

Barberini, Cardinal, writes in behalf of Lady Purbeck, ii. 251

Barnard, Robert, attacked by Cromwell, i. 202

Bärwalde, Treaty of, i. 218

Bavaria, Elector of. *See* Maximilian

Baxter, Richard, his reminiscences, ii. 226

Beard, Dr., Cromwell's schoolmaster, i. 72; his probable influence on Cromwell, 74; his repetition of Alablaster's sermon, 76

Beaumont and Fletcher, female characters of, ii. 33

Beccles, nonconformity at, ii. 209

Beckington, resistance of the churchwardens of, to the removal of the Communion Table, ii. 217

Bedell, William, Bishop of Kilmore, complains of the Church courts in Ireland, ii. 129; his activity at Kilmore, 130

Bedford, Earl of (Francis Russell), receives Dudley's paper of advice from St. John, i. 172; prosecution and pardon of, 173

Belhaven, Lord (Robert Douglas), story of, i. 349, note 1

Bellasys, Henry, insults Wentworth, i. 276; is compelled to acknowledge his fault, 277

Belle Isle, French fleet at, ii. 99

Bemerton, George Herbert at, i. 317

Benevolence, proposed, ii. 51; rejected, 52

Bergh, Count Henry de, deserts the Spanish service, i. 253

Berkeley, Robert, Justice of the King's Bench, asserts that Ship-money may be taken by the rule of government, ii. 203

Bernard, Nathaniel, attacks the ceremonies, i. 297; sentenced by the High Commission, 298

Bernhard of Weimar, takes Ratisbon, ii. 57; is jealous of Horn and Oxenstjerna, 63; is defeated at Nördlingen, 84; is taken into French pay, 87

Binning, Lord (Thomas Hamilton), is one of the King's Commissioners at the Assembly of Perth, i. 340; created

Earl of Melrose, 345. *See* Melrose, Earl of
Bishop, a Catholic, proposed mission of, to preside over the Queen's priests, i. 134
— William, Bishop of Chalcedon, ii. 234
Bishops, meeting of, at Lambeth, 38; discretionary power assigned to, by Charles, ii. 16; their position affected by the Metropolitical visitation, ii. 207
'Black Saturday' at Edinburgh, i. 346
Bloxham, opposition to ship-money in the hundred of, ii. 190
Blythe, violation of neutrality by the Dutch at, ii. 104
Bodleian Library, Laud's present of manuscripts to, ii. 252; the King's visit to, 257
Borough, Sir John, writes a treatise on the *Sovereignty of the seas*, ii. 69
Boswell, Sir William, agent at the Hague, his instructions to frustrate any understanding between the Dutch and the Spanish Netherlands, i. 256; ordered to see to the introduction of the Prayer Book at Delft, ii. 20; insists on the reading of the Prayer Book in the English regiments in the Netherlands, 21; conveys a message to Elizabeth, 86; sends over an article of the Treaty between the French and the Dutch, 95; tries to come to an understanding with the Dutch fishermen about the acceptance of the King's licenses, 334
Bourchier, Elizabeth, marries Oliver Cromwell, i. 72
Bowing, in church, Laud's view on, i. 287; Puritan dislike of, 292; Prynne's attack on, 293
Bowyer, Ludowick, sentence on, in the Star Chamber, ii. 4
Bradford, William, welcomes the Massachusetts settlers, i, 191
Bramhall, John, Bishop of Derry, his part in amending the Irish canons, ii. 143; his remarks on the nonconformists in his diocese, 145
Brancepeth, arrangements of the church at, i. 317
Brandling, Robert, locks an ecclesiastical court into a church, ii. 211
Breitenfeld, battle of, i. 229
Brent, Sir Nathaniel, conducts Laud's metropolitical visitation, ii. 207; extracts from his reports, 208
Brett, Arthur, chosen as the Queen's agent at Rome, ii, 242; receives his instructions, 243; dies, 249

Bridgewater, Earl of (John Egerton), becomes President of the Council of Wales, ii. 43
Bridgman, John, Bishop of Chester, examines persons condemned for witchcraft, ii. 30
Brigstock, nonconformity of the minister of, ii. 212
Brome, Richard, takes part in writing the *Lancashire Witches*, ii. 32
Brooke, Dr. Samuel, Master of Trinity, Cambridge, fails to obtain permission to publish a book on predestination, i. 164
— Lord (Robert Greville), takes part in the foundation of Connecticut, and proposes to establish an aristocracy in Massachusetts, ii. 280
— Sir Basil, is charged with malpractices in the Forest of Dean, ii. 73; is fined, 75
Brussels, meeting of the States General at, i. 125; declaration of war by the French at, ii. 98
Buckingham, Duchess of, pleads for Portland, ii. 66; marries Lord Dunluce, and pleads for Lady Purbeck, 251
— Duke of (George Villiers), disposal of his offices after his death, i. 1; proposed monument to, 8
Bungay, report of the metropolitical visitation of, ii. 209
Burntisland, Charles nearly drowned at, i. 364
Burton, Henry, criticises *Appello Cæsarem* and Cosin's Book of Devotions, i. 25
Byrne, Phelim, case of, ii. 116

CALAIS, privateers from, ii. 104
Calderwood, David, banishment of, i. 332
Calthrop argues on behalf of Valentine, i. 145
Cambridge, the University of, resistance to Laud's claim to visit, ii. 252
Canons, the English, adopted with amendments in Ireland, ii. 143
Canterbury, Archbishop of. *See* Abbot, George; and Laud, William
Capuchins, proposed establishment of, in the Queen's household, i. 134
Cardinal Infant, the, enters Germany, ii. 63; takes part in the victory of Nörellingen, 84; arrives in the Netherlands, 85; defends the Netherlands, 101; invades France, 268; money for

his army conveyed to Dunkirk by Windebank's order, 269; promises to acknowledge the validity of the English fishing licenses, 335
Cardinal's hat offered to Laud, ii. 3
Carew, Thomas, his lines on the death of Gustavus, i. 252
Carlisle, Earl of (James Hay), his mission to Turin, i. 6; advocates a Spanish alliance, i. 7; returns to England, 9; large expenditure of, 133; letter of Wentworth to, 281; named a commissioner to treat with France, ii. 95; declares his readiness to accept most of the teaching of the Church of Rome, 241
Carnarvon, Lord (Robert Dormer), criticises Strode's play, ii. 256
Cartwright, William, his *Royal Slave* performed at Oxford, ii. 258
Cary, Lorenzo, imposed upon the Irish army by the King, ii. 125
Cary, Lucius, dismissed from the Irish army, ii. 125, note 2
Casale, raising of the siege of, i. 126
Castara, Habington's, ii. 48
Castelnaudary, battle of, i. 257
Castleton, Viscount (Nicholas Saunderson), his bailiff strips lead from the church at Saxby, ii 210
Catechising to supersede preaching in the afternoon, i. 163
Catherine Cree. *See* St. Catherine Cree
Catholics, the English, dread of their increase, ii. 230, 232; payments to the Exchequer of, 233; dissensions between the Jesuits and the secular clergy of, 234
Catholics, the Irish, position of, ii. 108; measures of relief for, 111; Falkland's difficulties with, 115; threats of enforcing the fines of, 120; conduct of their party in Parliament, 139; Wentworth's intention respecting, 141
Cave, Mr., suspended by Brent for nonconformity, ii. 209
Celibacy, opinion of Massinger on, ii. 67; Panzani's report of English opinion on clerical, 240
Ceremonies of the Church, differences about the, i. 28
Chalcedon, Bishop of. *See* Bishop, William; and Smith, William
Chambers, Richard, committed for contempt of the Council, i. 16; bailed by the King's Bench, but proceeded against in the Star Chamber, 17; petitions the House of Commons, 54; his sentence in the Star Chamber, 109; refuses to sign a form of submission to it, and questions its jurisdiction in the Court of Exchequer, 110; service rendered to the country by, 111; fails to obtain a hearing in the Exchequer, 205; attempts to get a decision from the Court of King's Bench on the legality of ship-money, ii. 203
Channel, the English, Lindsey's fleet in, ii. 100; rumour of a sea fight in, 99
Chaplains, employment of, in private families, discouraged by Laud, i. 163; ii. 7
Charles I., King of England, his disposal of Buckingham's offices, i. 1; assumes the direction of affairs, 2; his foreign policy, 2; considers the possibility of helping Denmark and making peace with France, 5; his relations with the Queen, 6; invites the Abbot of Scaglia to England, 7; proposes to erect a monument to Buckingham, 8; promises eventual aid to Denmark, 9; results of his diplomacy, 10; ground taken by him in the dispute on Tonnage and Poundage, 13; his clerical appointments, 21; issues a declaration on religion, 35; his resolution about Tonnage and Poundage, 44; his isolation, 45; assures the Commons that he wishes to have Tonnage and Poundage by their grant, 50; assures the Commons that religion is safe in his hands, 60; refuses to prosecute Cosin, 66; orders the priests seized at Clerkenwell to be released on bail, 78; intervenes in favour of the Custom House officers, 85; attempts to avert a rupture with the Commons, 89; sends for the mace of the House of Commons, 97; prepares to force the doors, 99; dissolves Parliament, 100; justifies his act, 101; his changed position, 102; his anger against Eliot, 104; his proclamation against false rumours of another Parliament, 105; is dissatisfied with the opinion of the judges on the imprisoned members, 114; is displeased with the delay of the judges in giving their opinion on the demurrers of the prisoners, 117; refuses to produce the prisoners in Court, 120; nature of his dealings with the judges, 122; continues to expect to regain the Palatinate by diplomacy, 123; offers to

CHA

help the King of Denmark, 125; makes peace with France, 126; sends Vane to Holland, 127; hears of the Treaty of Lübeck and of Rohan's rebellion, 128; disapproves of the French attack upon the Huguenots, 129; sends Roe to the Baltic, 130; hesitates between the French and the Spanish alliance, 131; resolves to open negotiations with Spain, 132; his relations with the Queen, 133; objects to a Catholic Bishop in her household, 134; continues his negotiation with Spain, 135; sends Vane back to the Hague to offer to mediate with Spain, 136; suspends Chief Baron Walter, 141; his feeling towards Eliot, 150; his instructions to the Bishops, 163; protests his disapproval of Dudley's paper of advice, 173; weakness of his foreign policy, 207; wishes to mediate between Spain and the Dutch, 208; is dissatisfied with the progress of the negotiations at Madrid, 209; allows Hamilton to levy volunteers for Gustavus, 214; receives the news of the Treaty of Madrid, 215; dissatisfied that Spain does not at once restore the Palatinate, 216; tells Coloma he may possibly assist Gustavus, 217; refuses to take up the cause of Mary de Medicis, 226; opens negotiations with Gustavus, 229; his system compared with that of Ferdinand II., 230; plans an alliance with the Emperor and Spain, 231; refuses to reinforce Hamilton, 232; negotiates further with Gustavus, 236; receives the demands of Gustavus, 238; sends counter-propositions, 239; draws nearer to France, 240; receives St. Chaumont coldly, 241; brought on the stage by Massinger, 244; his offers rejected by Gustavus, 248; imposes silence on the gazettes, 249; proposes that Frederick shall take the place of Gustavus, 250; boast of material prosperity at the Court of, 251; invites his sister to England, 252; his jealousy of a conquest of the Spanish Netherlands by the French or Dutch, 254; makes offers to Spain and the Flemish nobility, 255; instructs Boswell to prevent an arrangement between the Dutch and the Spanish Netherlands, 256; asks Spain to surrender Dunkirk, and makes advances to France, 258; is inclined to join

CHA

France against Spain, but turns round again, 260; sends to ask Oxenstjerna to give up the fortresses in the Palatinate to his nephew, 260; receives Richelieu's terms by Jerome Weston, 261; confines Holland for challenging Weston, 263; releases him, 264; promotes the repair of St. Paul's, 291; intervenes in the disputes at Oxford, 294; presents Sibbes to a vicarage, 310; presents George Herbert to Bemerton, 317; issues an act of revocation in Scotland, 348; arranges for the commutation of tithes, 350; is crowned in Scotland, 353; presses the carrying of the Government Bills through the Scottish Parliament, 362; holds a consultation on the proposed new Prayer Book for Scotland, 363; orders the Scottish clergy to wear surplices, 363; pardons Balmerino, 371; appoints Spottiswoode Chancellor of Scotland, 373; names Laud Archbishop of Canterbury, ii. 1; declares that no layman must hold the clergy in dependency, 9; orders the suppression of abuses at St. Paul's, 11; pronounces sentence in the case of the Communion Table at St. Gregory's, 15; refuses to interfere with the Settlements in Massachusetts, 22; interferes in the question of the Somersetshire wakes, 25; orders the republication of the *Declaration of Sports*, 27; saves the lives of the Lancashire witches, 32; references to in *Histriomastix*, 36; suggests to Shirley the plot of *The Gamester*, 38; sends Henry Jermyn from Court, 47; neglects the League of Heilbronn, 50; permits Nethersole to levy a benevolence, 51; withdraws his permission, 52; makes proposals to the revolutionists in the Spanish Netherlands, 53; is betrayed by Gerbier, 54; is courted by France and Spain, 57; his overtures to Spain, 58; imprisons Nethersole, 59; makes pressing offers to Spain, 60; receives young Oxenstjerna coolly, 64; conceals the whole truth about Ship-money from the Council, 67; puts forward a claim to the sovereignty of the seas, 69; orders Coke's papers to be seized, 70; dismisses Chief Justice Heath, 72; approves of Holland's proceedings in the Forest of Dean, 76; legal character of his absolutism, 77; hears of the proposed partition of the Spanish Nether-

lands, 78; rejects the overtures of France and authorises the conclusion of a secret treaty with Spain, 79; conceals his intentions from the Council, 80; is distrusted by Olivarez, 81; gives advice to his sister, 86; presses an alliance with Spain, 87; is satisfied with the reception of the first Ship-money writ, 90; visits Portland on his death-bed, 91; keeps the direction of foreign affairs in his own hands, and urges Spain to conclude a treaty with him, 93; is annoyed at the close alliance between France and the Netherlands, 94; repels the proposals of France, 95; orders out the musters, 96; gives instructions to Lindsey, 97; is disappointed by Spain, 98; urges Lindsey to do something, 100; insists on having his flag saluted, 101; is without allies, 102; exasperates the Dutch, 103; criticism on his foreign policy, 105; offers the Graces to Ireland, 110; sends Wentworth to Ireland, 117; assures Wentworth of his support, 120; his relations with Wentworth, 125; refuses an Earldom to Wentworth, 140; orders the dissolution of the Irish Parliament, 142; thinks of asking the Emperor for the Palatinate, 179; pardons Southampton for encroachments in the New Forest, 182; his conduct about the enlargement of Richmond Park, 184; thinks of giving the Treasury to Cottington, 185; refuses to punish Bagg, 188; asks the opinion of the judges on Ship-money, 192; makes offers to Spain and the Emperor, 195; proposes an exchange of Lorraine for the Palatinate, 196; insists on the title of Electoral Highness being given to his nephew, 198; turns against the French for refusing to give it, 199; enforces the payment of Ship-money, 201; refuses to allow the exemption of the children of foreigners from attendance at Church, 223; appoints Windebank to receive Panzani, 236; wishes for an understanding with the Pope, 237; objects to the reception of a Catholic Bishop in England, 238; permits the Queen to receive an agent from Rome, 240; is warned by Laud against making advances to Rome, 242; gives instructions to Brett, 243; visits the Queen's chapel, 244; decides on appointing Juxon Treasurer, 245; makes the appointment, 246; supports Laud in bringing Lady Purbeck to punishment, 250; his government as defined by Coke, 253; proposes to visit Oxford, 254; arrives at Oxford, 256; orders the issue of Selden's *Mare Clausum*, 260; insists upon his right to payment for fishing-licenses from the Dutch, 264; gives instructions to Arundel for his embassy to Vienna, 265; opens fresh negotiations with France, 268; sends Windebank into confinement, 269; fails to satisfy the French of his sincerity, 270; recalls Arundel, 271; continues to hope that his diplomacy will be successful, 272; illustration of his constitutional principles in the Charter of Maryland, 288; external legality of his Government, 293; authorises Wentworth to proceed against Mountnorris, 298; takes money from Loftus for the Irish Vice Treasurership, 306; expresses his approval of Wentworth's conduct, 310; again refuses Wentworth an Earldom, 312; receives Danby's letter of remonstrance, 315; resists the demand of the courtiers for war and a Parliament, 316; prepares to assist his nephew indirectly, 317; receives fresh overtures from France, 318; again consults the judges on the legality of Ship-money, 320; accepts the Treaty proposed by France, 325; asks Wentworth his opinion of the Treaty with France, 326; finds that the Treaty is referred by France to the consideration of its allies, 333; turns again to Spain and attempts to induce the Dutch to accept his fishing-licenses, 334; and to obtain from the Spaniards an acknowledgment of their validity, 335; orders Northumberland to induce the Dutch to take the licenses, 336

Charles Lewis, Elector Palatine, the fortresses in the Palatinate demanded in his name, i. 260; acknowledgment of his rights by the League of Heilbronn, ii. 50; proposed expedition to the Palatinate of, 58; position assigned by the Treaty of Prague to, 103; demand to be made to the Emperor on behalf of, 179; visits England, 197; receives the title of Electoral Highness from Necolalde, 198; visits Oxford, 256; pension allowed to, 272; fleet to be put out for, 318; plan for sending him under the French flag, 325

Charles, Prince, birth of, i. 173
Charnacé, Baron, offers French help to the Dutch, i. 259; refuses the title of Electoral Highness to Charles Lewis, ii. 198
Charter of Huntingdon. *See* Huntingdon.
Chateauneuf, Marquis of, French ambassador in England, recommends Charles to call a Parliament, i. 131; attempts to gain over the Queen, 133; returns to France, 226; detection of his intrigues, 227; is imprisoned, 263
Chauncey, Charles, resists the removal of the Communion Table at Ware, ii. 217
Chaworth, Lord (George Chaworth), brings a message to the Queen from her mother, i. 226; is imprisoned, 227
Chester, Bishop of. *See* Bridgman
Chetham, Humphrey, collects Shipmoney in Lancashire, ii. 190
Chevreuse, Duchess of, intercession of Henrietta Maria for, ii. 197
Chichester, Bishop of. *See* Montague, Richard
Christian IV., King of Denmark, asks Charles for help, i. 5; eventual aid promised to, 9; aids the citizens of Stralsund, 123; is on friendly terms with Sweden, 124; help offered by Charles to, 125; signs the Treaty of Lübeck, 128
Church of England, the, doctrinal controversies in, i. 20; its public acts, 59; the King's headship of, 65; its authority in controversies of faith questioned, 67; opinion of a Committee of the Commons on the sources of its jurisdiction, 87; Royal authority over, 158; toleration in, 195; Laud's view of the King's relation to, ii. 9; effect of Laud's control of, 231
Church of Ireland, the, condition of, ii. 128; Wentworth's management of, 133, 142
Church property, spoliation of, ii. 210
Churchman, the new, ballad on, ii. 232
Church-membership, the foundation of political rights in Massachusetts, i. 193
Churchyards, musters held in, ii. 211
Clanrickard, Earl of (Richard De Burgh), his authority in Galway, ii. 154; remonstrates against Wentworth's proceedings, 295; death of, 296
Clare, Earl of (John Holles), receives Dudley's paper of advice, i. 172; prosecution and pardon of, 173
Clergy, social position of the, i. 316; maintenance of the Scottish, 331, 351; relations with the gentry of the English, ii. 223
Clerkenwell College, the, treatment of the priests seized at, i. 77
Cloth, manufacture of in Ireland, discouraged by Wentworth, ii. 127
Coke, Clement, declares Weston to be an enemy to the Commonwealth, i. 97
— Sir Edward, death of, and seizure of his papers, ii. 70
— Sir John, brings in a bill on Tonnage and Poundage, i. 51; appears on behalf of the Government, 83; brings a message from the King in defence of the Custom House officers, 86; justifies Charles's claim to the sovereignty of the seas, ii. 67; appointed Commissioner of the Treasury, 92; appointed commissioner to treat with France, 95; his speech at Oxford, 252; directs Arundel to remain at Vienna, 268
Coloma, Don Carlos de, corresponds with Weston, i. 129; arrives as ambassador in England, 209; takes leave of Charles, 216; Charles's conversation with, 217; brought on the stage by Massinger, 244
Commissioners for the relief of debtors, i. 200; for the relief of the poor, 201; for depopulation, ii. 172; for pardoning encroachments in Dean and Essex Forests, 183; to treat with France, 194; for the Colonies, 275
Committee on Religion, ordered to report, i, 52; report of, 53; inquires into Montague's pardon, 69; resolutions on religion prepared by a sub-committee, 87
Commons, House of, its supremacy at stake in the question of Tonnage and Poundage, i. 14; demands the suppression of Arminianism, 20; proceedings of, at the opening of a second session, 46; question of privilege raised in, 48; applauds the King's speech on Tonnage and Poundage, 51; its resolution on religion, 59; questions the legality of Montague's consecration, 62; questions the pardon to Sibthorpe and others, 66; questions the validity of part of the 20th Article, 67; entertains charges against Neile, 68–77; objects to the release of the

priests seized at Clerkenwell, 78; turns again to Tonnage and Poundage, 78; commits a sheriff of London to the Tower, 79; sends a message on Tonnage and Poundage to the Court of Exchequer, and calls the Custom House officers to the bar, 82; resolves that Rolle is to have privilege for his goods, 85; resolutions on religion prepared by a sub-committee of, 87; adjournment of, pronounced by the Speaker, 89; adopts Eliot's resolutions and adjourns itself, 99; Laud's comments on its proceedings, 154

Commons, imprisoned members of the House of, their committal, i. 100; questions put to, 103; case against, submitted by Heath to the judges, 113; six of their number apply for a *habeas corpus*, 115; information in the Star Chamber against, 116; demurrer of, 117; their application for bail argued in the King's Bench, 118; they are not produced in court, 121; are left in prison through the Long Vacation, 122; bail offered to them on condition that they bind themselves to good behaviour, 137; refused by them, 138; three of them appear before the King's Bench, 144

Composition for knighthood. *See* knighthood

Communion Table, the, position of, settled by Elizabeth, i. 29; practical arrangement of, 30; removal of, at Grantham, 31; decision of Williams on its place, 32; its position at Fawley, 65; moved in Winchester Cathedral, 77; removal of, at Lambeth, ii. 12; direction of Williams about, at Leicester, 13; case of the removal of, at St. Gregory's, 14; the King's decision about, 15; removed at Dublin, 133; general order for the removal of, 214; statement of Laud on its position, 214, note 1; cases of its removal, 216. 217

Con, George, chosen as the Pope's agent with the Queen, ii. 242; is present at the King's visit to Oxford, 258

Confession, sacramental, Panzani's report of English opinion on, ii. 240

Connaught, promise of the King to abstain from planting, ii. 111, 112, note 1; Wentworth's plan for the settlement of, 135; proposed plantation of, 147; Wentworth's visit to 152

Consecration of churches, ceremonies at the, i. 288; opinion of Hooker on the, *ibid*, note 1

Contarini, Alvise, Venetian ambassador, mediates between England and France, i. 5; gains over the Queen, 6; the success of the negotiation ascribed to him, 127

Contributions for the support of an Irish army, granted, ii. 113; prolonged, 121

Conversions by the Jesuits, ii. 235

Convocation, its powers according to the King's declaration, i. 36; its authority questioned by the Commons, 67

— the Irish, Wentworth's dealings with, ii. 142

Convoy of Spanish property. *See* Dunkirk

Conway, the first Viscount (Edward Conway), resigns the Secretaryship, and becomes President of the Council, i. 9; death of, 236

— the second Viscount (Edward Conway), Wentworth's letter to, on his conduct to Mountnorris, ii. 302

Cook, Alan, his conduct as chancellor of Kilmore, ii. 129

Corbet, Richard, Bishop of Norwich, his remarks on pews, ii. 17

Corbie, capture of, by the Cardinal Infant, ii. 269; recapture of by the French, 271

Cork, Earl of (Richard Boyle), appointed Lord Justice, ii. 117; blame of wishing to exact the Recusancy fines thrown on, 121; stripped of church property, 132; tomb erected by him pulled down, 133

— Lady, her tomb removed, ii. 133

Coronation of Charles in Scotland, i. 353, 358

Corporations, new monopolising, ii. 313

Correr, Anzolo, Venetian ambassador, his remarks on the exaction of shipmoney, ii. 90

Coryton, William, strikes a member of the House of Commons, i. 92; urges the reading of Eliot's resolutions, 96; is arrested, 100; is released after a short imprisonment, 103

Cosin, John, assists Montague in printing *Appello Cæsarem*, i. 22; publishes a *Book of Devotions*, 23; his dislike of Puritanism, 24; receives a pardon, 39; his proceedings at Durham, 63; his conversation about the royal supremacy, 65; his pardon questioned

by the Commons, 66; is charged with reading *The Preparations for the Mass*, 76; his sermon on peace, 196; arrangement of his church, 317

Cottington, Lord (Francis Cottington), negotiates with the Abbot of Seaglia, i. 231; congratulates Vane on his negotiation with Gustavus, 249; appointed to treat with Necolalde, ii. 58; carries a message from Portland to Laud, 91; named a Commissioner of the Treasury, 92; opposes Laud, 162; his character, 163; becomes Master of the Wards, 165; defends the Soap Company, 170; in favour with the Queen, 183; his dispute with Laud about Richmond Park, 184; his strong hopes of the Treasury, 185; takes Bagg's part in the Star Chamber, 187; his chance of the Treasurership diminishes, 189; takes off his hat when the Pope's name is mentioned, 240; laughs at Panzani's fear that Parliament will be summoned, 241; expectation that he will be appointed Treasurer, 244; finds that he is not to be Treasurer, and mystifies Seneterre, 245; his character of Laud, 255; said to have been bribed by Oñate, 269; is offered a bribe by Loftus, 306; offers to the King the bribe sent him by Loftus, 307

Cottington, Sir Francis, becomes a Privy Councillor, i. 8; is appointed Chancellor of the Exchequer and Ambassador to Spain, 132; takes the part of Spain against Charles, 135; opens negotiations at Madrid, 209; proposes a secret league against the Dutch, 211; signs the secret treaty, 216; created a Peer, 217. *See* Cottington, Lord

Cotton, John, influence of Sibbes upon, i. 309; emigrates to Massachusetts, ii. 23

— Sir Robert, Dudley's paper of advice found in his library, i. 172; prosecution and pardon of, 173; death of, 174

Council. *See* Privy Council.

— of the North, the, Wentworth's speech in, i. 39; disrespect shown to Wentworth in, 276; its want of Parliamentary authority, 279; its jurisdiction attacked, 282; defended by Wentworth against prohibitions, 283; new instructions to, 285

Council, of War, sits as a court-martial on Mountnorris, ii, 299

Court of Wards, erected in Ireland, ii. 111

Coventry, Lord (Thomas Coventry), Lord Keeper, remonstrates with the judges about bailing Chambers, i. 17; argues against the dissolution of Parliament, 100; votes for a lenient sentence on Sherfield, 304; attacks Portland, ii. 65; his speech to the judges, 173; explains the King's claim to the sovereignty of the seas, 174; announces that Ship-money must be paid by the inland counties, 175

Crane, Sir Robert, charges Cosin with reading *The Preparation for the Mass*, i. 76

Crashaw, Richard, his verses prefixed to Shelford's *Five Discourses*, ii. 226

Craven, Lord (William Craven), assists Nethersole in raising money for the Palatinate, ii. 52; offers money towards the fleet to be fitted out for Charles Lewis, 318

Crew, Chief Justice, effect of his dismissal, i. 112

Croke, Sir George, Justice of the King's Bench, his opinion on the legality of Ship-money, ii. 192

Cromwell, Oliver, his family history, i. 71; his youth and marriage, 72; becomes member for Huntingdon, 73; his conversion, 74; his first speech in Parliament, 75; objects to the results of the new charter for Huntingdon, 202; removes to St. Ives, 203

— Robert, settles at Huntingdon, i. 72

— Sir Henry, the Golden Knight, i. 71, 72

— Sir Oliver, sells Hinchinbrook, i. 72

— Sir Richard, distinguishes himself at the court of Henry VIII., i. 71

Crosby, Sir Piers, expelled from the Irish Privy Council, ii. 141

Cross torn out of the flag at Salem, ii. 279

Crucifix, objected to by Bernard, i. 297; Ferrar's reason for not using, 314; employment of a, at Lambeth, ii. 12

Curle, Walter, Bishop of Winchester, ii. 18

Custom House, officers of the, supported by the Council, i. 16; called to the bar of the House of Commons, 82; supported by the King, 85

Customs, increase of, ii. 178

DAI

DAINES, Mr., does not wear a surplice, ii. 209
Danby, Earl of (Henry Danvers), named as Lord Deputy of Ireland, ii. 116; writes to the King to remonstrate on the levy of ship-money, 314
Davenant, John, Bishop of Salisbury, reprimanded for preaching on predestination, i. 164; forbids the removal of a painted window, 303; receives Sherfield's submission, 304
Davenport, Christopher, publishes *Deus, Natura, Gratia*, ii. 237
— John, attempts to establish himself as minister at Amsterdam, and goes to New England, ii. 22
Davey, Sir Francis, complains of favour shown to the Clerkenwell Jesuits, i. 77
Day of Dupes, the, i. 224
Dean, the Forest of, Holland's Justice-seat in, ii. 73; commission for granting pardons for encroachments in, 183
Declaration of Sports, the, published by the King, ii. 27; ordered to be read in churches, 28; refusal to read, 212
— on Religion, the King's, i. 35; Eliot's criticism on, 55; the Calvinists mainly affected by, 61
— on the dissolution of Parliament, published by the King, i. 101
Defective titles, Wentworth's plan of compounding for in Ireland, ii. 135; act passed to confirm those for which compositions have been paid, 140
Delft, church of the Merchant Adventurers at, ii. 20; the Prayer Book introduced at, 21
Denbigh, Lady, applies to Cosin for a book of devotions, i. 23; refrains from inciting the king against Lady Purbeck, ii. 250
Dennison, Dr., his personal abuse of his parishioners, ii. 211
Depopulations, Commission on, ii. 172; fines for, 313
Deus, Natura, Gratia, publication of, ii. 237
Devotions, Cosin's Book of, i. 23; criticisms on it by Burton and Prynne, 25
D'Ewes, Sir Simonds, his enthusiasm at the victories of Gustavus, i. 231; his antiquarian zeal, 268; his view of the dissolution of Parliament, 269; his remarks on the Battle of Nördlingen, ii. 85; his opinion on Ship-money, 204
Dicconson, Frances, defends herself against the charge of witchcraft, ii. 31

DUN

Digges, Sir Dudley, supports Pym against Eliot, i. 84; takes no part in the proceedings of the last day of the Session, 90
Discovery of Witchcraft, Reginald Scot's, ii. 29
Divine Right of Episcopacy, defended by Neile, i. 185
Divine Right of Kings, little said about the, ii. 293
Donauwörth, Gustavus at, i. 239
Dorchester, Viscount (Dudley Carleton), looks forward to co-operation with France in Germany, i. 5; becomes Secretary of State, 9; his opinion of the sentence on Eliot, 149; death of, 236
Dorset, Earl of, (Edward Sackville), directs the reprieve of the priests seized at Clerkenwell, i. 78
Douglas, Sir Robert, chosen as the Queen's agent at Rome, but dies suddenly, ii. 242
Dover, a Dutch ship chased into the roads of, ii. 98; English vessels pillaged in the Straits of, 103
Drummond, William, of Hawthornden, his letter to the King on behalf of Balmerino, i. 369
Dublin, Irish notables assembled at, ii. 112; mass openly celebrated at, 115; seizure of monastic buildings at, 117; imprisonment of the Sheriff of, for his conduct at an election, 137
Dudley, Sir Robert, his paper of advice shown to the King by Wentworth, i. 170
Dulwich, consecration of a chapel at, i. 288
Dunfermline, Earl of (Alexander Seton), his jealousy of the Bishops, i. 345
Dunkirk, suffering of English commerce from the privateers of, i. 13; convoy of Spanish money to, 217; importance of the position of, ii. 57; proposed attack by the French and Dutch on, 78; proposed engagement with Spain to defend, 80; activity of the privateers of, 95; expected siege of, 96; a Dutch ship chased into Dover roads by the privateers of, 98; Charles declares his intention to vindicate his subjects' right to trade with, 103; attack on the Dutch fishing boats by the privateers of, 104; interest of England in keeping it out of the hands of the French, 105; money convoyed to, 199; vessels convoyed to, 262;

expected attack by the French on, 263; money convoyed to, by Windebank's order, 269
Dunne, John, misconduct of, ii. 174
Durham, Bishop of. *See* Neile, Richard; Howson, John; and Morton, Thomas
— the Cathedral of, ceremonies in, i. 63; Smart's sermon in, 64
Durie, John, his plan for a reconciliation of Protestant churches, ii. 19
Dutch merchants in London decline to pay Tonnage and Poundage, i. 107
Dutch Republic. *See* States General

EDICT of Restitution, the, issue of, by the Emperor, i. 124; supported by the Elector of Bavaria, and opposed by the Elector of Saxony, 219; its suspension counselled by Olivares, 220; refusal of the Emperor to modify, 229; abandoned by the Emperor, ii. 102
Edinburgh, feeling in, about the carvings in the chapel at Holyrood, i. 328; visit of James to, 329; 'Black Saturday' at, 346; entry of Charles into, 353; ceremonies at the King's coronation at, 358; the surplice used at St. Giles's church at, 361
Egerton, Lady Alice, takes the part of the lady in *Comus*, ii. 43
Ehrenbreitstein, garrisoned by the French, i. 240; ii. 59
Elector Palatine. *See* Frederick and Charles Lewis
Electress Palatine. *See* Elizabeth
Eliot, Sir John, his speeches on Chambers's petition and on religion, i. 54; attacks the King's declaration, 55; proposes to attack the Arminians, 60; censures Heath for stifling a charge against Cosin, 68; attacks Neile, 69; proposes to question the farmers of the customs, 80; advises the House to treat the Custom House officers as delinquents, 83; insists on placing the question of privilege in the foreground, 84, 86; resolves to appeal to the country, 89; speaks to the question of adjournment, 90; proposes a declaration, 91; bids the Speaker obey the order of the House, 92; threatens the Speaker with the consequences of refusal, 93; proposes to impeach Weston, 94; explains his proposed resolutions, 95; burns his resolutions, 97; is imprisoned, 100; refuses to answer any questions, 104; is visited in the Tower, 105; does not join the other prisoners in applying for a *habeas corpus*, 115; information in the King's Bench, brought against, 139; his behaviour in the Marshalsea, 143; appears at the bar of the King's Bench, 144; his sentence, 149; feeling of Charles towards, 150; is imprisoned in the Tower, 151; rejoices at the victories of Gustavus, 231; receives a message from persons at court, 232; prepares a speech, 233; his stricter imprisonment, 235; writes *The Monarchy of Man*, 269; his last letter, 272; his last days in prison, 273; his death, 274
Elizabeth, Queen of England, her arrangement about the position of the Communion Table, i. 29; causes of her success misunderstood in the seventeenth century, ii. 122
— Electress Palatine, and titular Queen of Bohemia, her correspondence with Roe, i. 125; is invited to England, 252; asks Charles for aid for her son, ii. 59; obtains Nethersole's release, 60; distrusts Charles's assurances, 80; protests against Charnacé's refusal of her son's title, 198
Endicott, John, tears the flag out of the cross at Salem, ii. 278
Episcopacy, Divine right of, defended by Neile, i. 185
Essex, cloth weavers of, thrown out of work, i. 107; Forest Court in, ii. 76, 172; commission for giving pardons for encroachments on the forest in, 183; resistance to Ship-money in, 191, 316
— Earl of (Robert Devereux), is present at the King's visit to Oxford, ii. 258
Eure, Lord (William Eure), defies the Court of Chancery, i. 279; his house besieged, 280
Exchequer, the Court of, decides that a replevin cannot be sued in the case of goods seized for the King, i. 18; message of the House of Commons to, 82; actions brought by Chambers in, 110; question of the jurisdiction of the Star Chamber before, 142; question of Tonnage and Poundage before, 143

FAKENHAM, report of the metropolitical visitation of, ii. 209

FAL

Falkland, Viscount (Henry Cary), Lord Deputy of Ireland, ii. 109; issues writs for the election of a Parliament, but is obliged to countermand them, 114: his difficulties with the Catholics, 115; recall of, 116; death of, 125
Famine, measures taken to avert, i. 198
Farmers of the Customs, proposition by Eliot to call them to account, i. 80
Fawley, position of the Communion Table at, i. 65
Female actors, attacked by Prynne, ii. 35
— characters on the stage represented by boys, ii. 34
Feoffees for impropriations, case of, in the Exchequer Chamber, i. 305; ridiculed in Strode's *Floating Island*, ii. 256
Ferdinand, King of Hungary, takes part in the victory of Nördlingen, ii. 84; chosen king of the Romans, 317
— the Infant. *See* Cardinal Infant, the
— II., Emperor, issues the Edict of Restitution, i. 124; dismisses Wallenstein, 213; refuses to withdraw the Edict, 221; orders Tilly to attack the Elector of Saxony, 229; forms a close alliance with Spain, ii. 63; agrees to the peace of Prague, 102; his offer to Taylor, 200; rejects Arundel's proposition for the restitution of the Palatinate, 267
Feria, the Duke of, commands a Spanish force in Alsace, ii. 56, 58
Ferrar, Nicholas, his early life, i. 311; settles at Little Gidding, 312; character of his life there, 313; arrangement of his church, 317; his language about the sanctity of churches, 322
Fielding, Captain, is sent to distribute licenses amongst the Dutch fishing vessels, ii. 336
— Lord, challenges Goring, i. 263
Finch, Sir John, Speaker of the House of Commons, directs the adjournment of the House, i. 90; is held down in his chair, 91; refuses to allow Eliot's resolutions to be read, 92; is threatened by Selden with deposition from the Speakership, 97; is upbraided by Heyman, 98; becomes Chief Justice of the Common Pleas, after taking part in the proceedings in the Forest of Dean, ii. 73; and in Waltham Forest, 76; asks the opinion of the Judges on the legality of Ship-money, 192

FRA

Fishing Company. *See* Herring fishery
Five Discourses, Shelford's publication of, ii. 225
Flag, the English, a salute claimed for, by Charles, ii. 98; granted by the Dutch, 99; compromise proposed by Richelieu about, 100
Flax, cultivation of; introduced into Ireland by Wentworth, ii. 126
Fleet, the English Ship-money. *See* Lindsey, Earl of; and Northumberland, Earl of
Flemish ports. *See* Dunkirk
Floating Island, The, acted at Oxford, ii. 256
Flood, said to be Cotton's natural son, i. 172
Foljambe, Sir Francis, commits a riot, ii. 173
Fontenay-Mareuil, Marquis of, out of favour with the Queen, i. 226; seizes Chateauneuf's correspondence, 227; attempt made to reconcile the Queen to him, 241
Forbes, John, preaches at Delft, ii. 20; resigns his office, 21
— Patrick, his early life, i. 335; his letter on episcopacy, 336; becomes Bishop of Aberdeen, 338; preaches at the Assembly of Perth, 340; urges obedience to the Articles of Perth, 341
— William, appointed Bishop of Edinburgh, i. 364; death of, 365
Ford, quotation from, ii. 45
Foreigners, children of, compelled to attend church, ii. 223
Forest Court in Dean Forest, ii. 73; in Waltham Forest, 76, 172; in the New Forest, 182
Foulis, Sir David, his connection with Dudley's paper of advice, i. 171; opposes Wentworth, 278; urges Layton to refuse obedience, 279; offers to use his influence in the King's behalf, 280; is sentenced in the Star Chamber, 282
France, peace with, i. 126; Gustavus's apprehensions of, 237; Roe's opinion of an alliance with, 242; increased influence of, after the death of Gustavus, 252; ii. 50; seizes Lorraine and attacks Alsace, 56; its treaty of assistance with the Netherlands, 78; takes Bernhard into pay, and occupies the Palatinate, 87; commissioners named to treat with, 94; ill-will of Charles towards, 95; is expected to send a fleet into the chan-

nel, 96; declares war against Spain, 98; fails in its attack on the Spanish Netherlands, 101; its fleet expected to attack Dunkirk, but sails for the Mediterranean, 263; Spanish invasion of, 268, 271; fresh overtures from, 319; acceptance by Charles of the treaty proposed by, 325; treaty referred to its allies by, 333

Francesco della Rota visits England, i. 232

Frankfort, meeting of the League of Heilbronn at, ii. 64

Frederick, Elector Palatine and titular King of Bohemia, proposal to remove the ban from, i. 210; accompanies Gustavus, 250; proposed by Charles as the political and military successor of Gustavus, 250; death of, 251

Frederick Henry, Prince of Orange, receives Vane's advice to come to an agreement with Spain, i. 127; besieges Hertogenbosch, 131; rejects Charles's offer of mediation, 208; lays siege to Maestricht, 253; takes Maestricht, and offers an alliance to the Spanish Netherlands on condition that they will declare themselves independent, 255; opposes peace with Spain, 256; takes Rhinberg, ii. 54

French players in London, ii. 35

Fuentes, the Marquis of, refuses to spare the Dutch fishermen at the Cardinal Infant's order, ii. 335

Fundamental laws, the, use of the phrase of, ii. 181

GALWAY, Wentworth's treatment of the jury in, ii. 154; petition from, 157

Gamester, The, plot of, suggested to Shirley by Charles, ii. 38

Garter, Buckingham's, not given away by Charles, i. 1

Gaston, Duke of Orleans, intrigues against Richelieu, i. 224; takes refuge in Lorraine, 225; enters Lorraine from Luxemburg, 240; invades France, 257

Gazettes forbidden to print foreign news, i. 249

General Assembly of the Church of Scotland. *See* Assembly, the General

Gerbier, Balthazar, gives information of the proceedings of Mary de Medicis, i. 225; receives a request for English help to the nobles of the Spanish Netherlands, 254; receives instructions from Charles as to his negotiations with the Revolutionists in the Netherlands, ii. 53; betrays his master's secrets, 54; is employed to obtain from the Spanish Government at Brussels an acknowledgment of the validity of the English fishing licenses, 335

Germany, participation in the war in, urged by Pembroke and Dorchester, i. 5; decreasing influence of Spain in, 10; decline of English sympathy with the Protestants of, 11; Wallenstein's successes in, 123; edict of restitution in, 124; abandonment by Christian IV. of the affairs of, 128; landing of Gustavus Adolphus in, 213; diplomacy of Richelieu in, 218; maintenance of the edict of restitution in, 221; victories of Gustavus in, 229; suggested French protectorate in, 237; increased influence of the French in, 252; condition of, after the death of Gustavus, ii. 50; campaign of 1633 in, 57; danger of the Protestants of, 63; condition of, after the battle of Nördlingen, 84; signature of the Treaty of Prague in, 102; Taylor's description of the wretched condition of, 199; Arundel's mission to, 201

Gibbons, alleged malpractices of, ii. 73; fine imposed on, 75

Gloucester, Workman's preaching at, ii. 212

Glückstadt, danger of, i. 124

Goad, Dr., his argument with Prynne, ii. 34

Goffe, Stephen, uses the Prayer Book as chaplain of Lord Vere's regiment, ii. 21

Goodman, Godfrey, Bishop of Gloucester, is a concealed Roman Catholic, ii. 244

Goodwin, John, influence of Sibbes on, i. 309

Gorges, Sir Ferdinando, appointed Governor of Massachusetts by the Crown, ii. 276

Goring, George, challenged by Lord Fielding, i. 263; quarrels with Nethersole, ii. 52; reads Roman Catholic books, 244

Gormanston, Lord (Nicholas Preston), objects to the meeting of a Parliament, ii. 117

Gouge, William, his sermons at Blackfriars, i. 307; his influence, 308; his language about the sanctity of churches, 322

GOV

Government, ideas of the sixteenth century on the power of, ii. 122; account of, by Sir J. Coke, 253
Gower, Sir Thomas, resists the jurisdiction of the Council of the North, i. 283; attempted arrest of, 283; imprisonment of, 284
Graces for Ireland, the proposed, ii. 110; issue of, 113; Wentworth's resolution about, 135; are partially confirmed by Parliament, 141
Grandison, Viscount (Oliver St. John), his government of Ireland, ii. 107
Grantham, dispute about the Communion Table at, i. 31
Grol, capture of, by the Dutch, i. 11
Gustavus Adolphus, his plan for a European war, i. 5; aids the citizens of Stralsund, 123; is on friendly terms with Denmark, 124; receives permission to levy troops in England and Scotland, 130; lands in Germany, 213; establishes himself in Pomerania, 217; his Treaty with the French, 218; defeats Tilly at Breitenfeld, 229; receives Vane at Würzburg, 230; his demands received by Charles, 235; progress of Vane's negotiation, 236; his fear of French aggrandisement, 237; acquaints Vane with his final terms, 238; defeats Tilly on the Lech, 239; Roe's opinion of, 241; rejects Charles's offers, 248
Guthrie, John, Bishop of Moray, preaches at Edinburgh in a surplice, i. 361

HABEAS CORPUS, application of six of the imprisoned members for, i. 115
Habington, William, his *Castara*, ii. 48
Haig, William, draws up a supplication, i. 367; escapes to Holland, 369
Hamburg, proceedings in the English Church at, ii. 19
Hamilton, Marquis of (James Hamilton), receives permission to levy volunteers for Gustavus, i. 214; intention of his expedition explained by Charles to Coloma, 217; progress of his levies, 221; charges brought against, 222; his reception by the King, 223; sails for the Baltic, 224; dissolution of his army, 232; his levies alluded to by Massinger, 245; is chosen as the King's Counsellor on Scottish affairs, 372; speaks depreciatingly of Necolalde, ii. 199

HEN

Hamilton, William, appointed the Queen's Agent at Rome, ii. 249
Hampden, John, corresponds with Eliot, i. 144; musters the trained bands in a churchyard, ii. 211
Harsnet, Samuel, Archbishop of York, reprimands Bishop Davenant, i. 164; death of, ii. 18; his *Popish Impostures*, 29
Harvest, deficiency of, in 1630, i. 198
Hay, Sir George, Chancellor of Scotland, sent for to London, i. 350; created Earl of Kinnoul, 372. *See* Kinnoul, Earl of
Head of the Church, the King's title of, explained by Cosin, i. 65
Heath, Sir Robert, applies to the Court of Exchequer in Rolle's case, i. 18; his letter to Montague, 33; his attention called to a conversation about the headship of the Church, 66; explains by what authority he had drawn pardons for Sibthorpe and others, 66; is accused by Eliot of stifling a charge against Cosin, 68; acknowledges that a breach of privilege has been committed, 79; submits to the judges questions relating to the imprisoned members, 113; brings an information in the Star Chamber against the imprisoned members, 116; speaks slightingly of the Petition of Right, 118; argues that the imprisoned members were not bailable, 119; urges the King not to produce them in Court, 121; gives his opinion on the terms on which bail is to be offered to the prisoners, 137; brings an information against Eliot, Holles, and Valentine, 139; argues against them, 144; replies, 145; becomes Chief Justice of the Common Pleas, 266; votes for a lenient sentence on Sherfield, 304; dismissal of, ii. 72
Heidelberg, siege of, raised by the French, ii. 87
Heilbronn, the League of, formed, ii. 50; meeting of, at Frankfort, 64; its troops defeated at Nördlingen, 84
Hein, Peter, captures the Plate Fleet, i. 11
Henrietta Maria, Queen of England, her relations with her husband, i. 6; gives birth to a child who dies after two hours, 127; does not care to use her influence with Charles for political objects, 133; receives Coloma coolly, 209; shows her displeasure

at the peace with Spain, 215; quarrels with Fontenay-Mareuil, 226; wishes Charles to assist Mary de Medicis, 227; attempt made to reconcile Fontenay to her, 241; her letter intercepted by Weston, 262; pleads for Holland, 263; alleged attack on, in *Histriomastix*, ii. 36; receives the Inns of Court masquers, 37; character of her Court, 46; advocates a French alliance, 97; takes Cottington into favour, 183; urges Seneterre to persist in his negotiation, 195; suggests the exchange of Lorraine for the Palatinate, 197; supports the Catholics, 235; plan for an exchange of agents between the Pope and her, 238, 240; takes the Prince to mass, 241; is urged to take the part of Lady Purbeck, 251; orders the repetition of *the Royal Slave*, 258

Henry VIII., Windebank's abuse of, ii. 241

Herbert, George, his life at Westminster and Cambridge, i. 314; resolves on taking orders, 316; his life at Bemerton, 317; character of his poetry, 318; comparison of, with Milton, 319

Herbert of Cherbury, Lord (Edward Herbert), his conversation with Panzani, ii. 241

Heritable jurisdictions in Scotland, i. 330, 352

Herring fishery, the, the English Company formed for carrying on, ii. 58; interruption of by the Dunkirk privateers, 95; Dutch boats for, attacked by Dunkirk privateers, 104; Dutch vessels employed in, forced to pay for licenses, 263; Boswell tries to come to an understanding with the owners of Dutch vessels employed in, 334; underhand negotiation with the Spaniards to acknowledge the King's licenses for, 335

Hertogenbosch besieged by the Dutch, i. 131

Hewat, Thomas, draws up a Prayer Book for Scotland, i. 333; his liturgy rejected, 353

Heylyn, Peter, attacks the feoffees for impropriations, i. 306; examines *Histriomastix*, ii. 35

Heyman, Sir Peter, attacks Finch, i. 98; is arrested, 100; is set at liberty after a short imprisonment, 103

Heywood, Thomas, takes part in writing *The Lancashire Witches*, ii. 32

High Commission, Court of, suppresses books treating on predestination, i. 161; Bernard's case in, 297; matrimonial causes in, 299; Antinomians and Separatists sentenced by, 299; sentence on Vicars in, 301; sentence on Lady Eleanor Davies in, ii. 5; fines imposed by, employed in the repair of St. Paul's, 10; orders search to be made for Separatists, 23; examination of Chauncey in, 216; proceedings against Ward in, 220; gentlemen summoned before, 224; Lady Purbeck's case in, 250

Hinchinbrook given to Sir Richard Cromwell, i. 71; sold by Sir Oliver, 72

Hobart, Sir Miles, locks the door of the House of Commons, i. 93; lets out the Serjeant-at-arms, 98; is arrested, 100; applies for a *habeas corpus*, 115; is removed to the Tower, 120

Holland. *See* States General

— Earl of (Henry Rich), becomes Master of the Horse, i. 1; suggests to Chateauneuf to ask Charles to call a Parliament, 131; large expenditure of, 133; receives a paper of advice from Roe, 241; his weakness as a party leader. 243; his letter intercepted by Weston, 262; challenges Weston and is put in confinement, 263; is liberated, 264; holds a Justice-seat in Dean Forest, ii. 73; and Waltham Forest, 76; named a Commissioner to treat with France, 95; conclusion of his Justice-seat in Waltham Forest, 172; holds a Court in the New Forest, 182; asks Seneterre to favour the plan of the exchange of Lorraine for the Palatinate, 197; resists Laud's claim to visit the University of Cambridge, 252

Holles, Denzil, holds the Speaker in his chair, i. 91; reproves Eliot for burning his resolutions, 97; repeats the resolutions, 98; puts them to the question, 99; is arrested, 100; applies for a *habeas corpus*, 115; information in the King's Bench brought against, 139; appears at the bar of the King's Bench, 144; fine imposed on, 149

Holyrood, the organ in the chapel at, i. 327; carvings for the chapel at, 329

Hooker, opinion of, on the con of churches, i. 288

Hopton, Arthur, English resident at Madrid, ii. 60; his opinion on the

policy of Spain, 63; is ordered to demand a direct answer from the Spanish Government, 93
Horse, Master of. *See* Holland, Earl of
Hoskins, Serjeant, explains what are public acts of the Church, i. 59
Howard, Sir Robert, lives in adultery with Lady Purbeck, and assists her to escape from prison, ii. 250
Howson, John, Bishop of Durham, is dissatisfied with Cosin, i. 161
Huguenots, the, Charles's connection with, i. 5; are passed over in the Treaty of Susa, 126; attack of Lewis upon those who still resist him, 128; submission of, 131
Hungary, the King of. *See* Ferdinand
Huntingdon, Cromwell member for, i. 73; new Charter granted to, 202; Cromwell removes from, 203
Huntly, Earl of (George Gordon), sells his heritable jurisdictions, i. 330
Hutchinson, Mrs. Anne, forms a religious party in Massachusetts, ii. 283; is supported by Vane, 384; Winthrop takes part against, 285
Hutton, Richard, Justice of the Common Pleas, his opinion on the legality of Ship-money, ii. 192
Hyde, Edward, takes part in the *Inns* of Court Masque, ii. 37; converses with Laud on his conduct at the Treasury Commission, 161; remonstrates with him on his want of courtesy, 255
Hyde, Sir Nicholas, Chief Justice of the King's Bench, reprieves the priests seized at Clerkenwell, i. 78; his character, 112; agrees to offer bail to the imprisoned members on their binding themselves to good behaviour, 137; threatens the prisoners, 138; death of, 265
Hymn of Beauty, Spenser's, quoted, ii. 45

IMPOSITIONS, resistance to the payment of, i. 15; enforced against Vassall, 205
Imprisoned members. *See* Commons, imprisoned members of the House of
Impropriations, feoffees for, case of, in the Exchequer Chamber, i. 305, 306
— Irish, granted to the clergy, ii. 134
Inns of Court Masque, ii. 37
Instructions to the Bishops, the King's, i. 163
Ipswich, emigration to New England from, ii. 23; metropolitical visitation of, 209; preaching of Ward at, 219
Ireland, St. John's government of, ii. 107; religious difficulty in, 108; Falkland Lord Deputy of, 109; army in, 110; the Graces proposed for, 111; assembly of notables in, 112; contribution promised in return for the Graces in, 113; Parliament summoned and countermanded in, 114, 117; Wentworth appointed Lord Deputy of, 117; defeats of the Parliament of, 118; Wentworth's first proceedings in, 121; restoration of discipline in the army of, 123; repression of piracy in, 125; encouragement of trade in, 126; maintenance of monopolies of cloth and salt in, 127; state of the Church in, 128; preparations for a Parliament in, 134; proceedings in the Parliament of, 137; convocation of, 142; acceptance of the English articles by the convocation of, 143; Presbyterians in, 145; proposed plantations in, 146; state of the English settlers in, 150; attempt to form further settlements in, 152; feeling of the natives of, 156
Isabella, the Infanta, gives encouragement to Mary de Medicis, i. 228; summons the States General at Brussels, 254; death of, ii. 55

JAMES I., ecclesiastical arrangements of, in Scotland, i. 325; proposes five articles to the Scottish Church, 326; prepares to visit Scotland, 327; writes about the carvings in the chapel at Holyrood, 328; enforces kneeling at the chapel, 329; asks the nobles to surrender their heritable jurisdictions, 330; asks for an Act of Parliament giving him power to regulate the external government of the Church, 331; banishes Calderwood, 332; his speech at St. Andrews, 333; resolves to force the five Articles on the Church, 338; his letter to the Assembly of Perth, 342; urges the enforcement of the Articles, 346; declares that he will ask for no further changes, 347; his book on Demonology, ii. 28
James, Prince, birth of, i. 263
James, Richard, Cotton's librarian, i. 172
Jars, Chevalier de, his correspondence seized, i. 227; his imprisonment, 262; wish of Henrietta Maria to liberate, ii. 197
Jermyn, Henry, put in confinement for

carrying a challenge to Weston, i. 263; seduces Eleanor Villiers, ii. 47
Jesuits, their dissensions with the secular clergy, ii. 234; conversions made by them, 235
Joachimi, Dutch ambassador, threatened by Portland, ii. 85
John George, Elector of Saxony, holds aloof from Gustavus Adolphus, i. 219; failure of his attempt to obtain from the Emperor the revocation of the Edict of Restitution, 221; joins Gustavus, 229; takes no part in the league of Heilbronn, ii. 50; agrees to the Treaty of Prague, 102
Johnson, Margaret, acknowledges herself to be a witch, ii. 30
Jones, Inigo, superintends the repairs of St. Paul's, ii. 10
Jones, William, Justice of the King's Bench, delivers judgment on Eliot, Holles and Valentine, i. 148
Joseph, Father, remonstrates with Leicester, ii. 269
Judges, the, decision on Tonnage and Poundage left to them by the King, i. 13; their view of Chambers's imprisonment, 17; their relations with the House of Commons, 112; their answer to Heath's questions about the imprisoned members, 113; their position as the King's Counsellors, 114; their whole number consulted, 115; reference of the demurrer of the imprisoned members to, 117; their letter to the King, 119; personal uprightness of, ii. 71; their opinion on the legality of Ship-money, 192, 322
Justice-seat. *See* Forest Court
Juxon, William, succeeds Laud as Bishop of London, ii. 18; is selected for the Treasury, 245; is appointed Treasurer, 246; holds aloof from Panzani, 248; attempts to reconcile Laud and Windebank, 254; his love of hunting, 257

KEEPER, Lord. *See* Coventry, Lord
Kilmore, Bishop of. *See* Bedell, William
King's Bench, Court of, bails Chambers, i. 17; hears arguments on the demand of the imprisoned members for bail, 118; contents itself with the King's refusal to produce the prisoners, 121; demands a bond for good behaviour from the prisoners, 137; Eliot, Holles, and Valentine at the bar of, 144; jurisdiction claimed by, 146
Kinnoul, Earl of (George Hay), Chancellor of Scotland, refuses to allow Spottiswoode to take precedence of him, i. 372, dies, 373
Kirk, Captain, seizes Port Royal and storms Quebec, i. 190
Kirton, Edward, his speech on religion, i. 52; objects to the Star Chamber proceedings against persons refusing to pay Tonnage and Poundage, 79
Kneeling at Communion enforced at Holyrood, i. 329
Knighthood, fines for not assuming, levied, i. 204; compositions in lieu of, exacted by Wentworth, 279; defence by Wentworth of his conduct relating to, 280
Krempe, relief needed for, i. 5; surrender of, i. 9, 124

LADY MORA, the, ii. 161; her waiting-maid, 171
Lapthorne, Anthony, his behaviour in church, ii. 211
Lambeth, arrangements in Laud's chapel at, ii. 12
Lancashire, supposed cases of witchcraft in, ii. 29
Lancashire Witches, The, written by Brome and Heywood, ii. 32
Laud, William, Bishop of London, subsequently Archbishop of Canterbury, attacked by the Commons in 1628, i. 20; his dislike of controversy, 34; recommends the King to issue a declaration on religion, 35; his comments on the proceedings of the Commons, 154; his notions on toleration, 155; his love of external forms, 155; his opinion on uniformity, 157; his respect for the Royal authority, 158; limitations on his authority during Abbot's life, 159; receives reports from Durham, 160; his disapproval of the lecturers, 162; refuses permission to Dr. Brooke to publish a book on predestination, 164; becomes Chancellor of Oxford, 165; baptises Prince Charles, 176; his speech at Leighton's sentence, 184; his friendship with Wentworth said to have begun at Leighton's trial, 186; his authority over the Puritans limited to certain localities, 286; his proceedings at St. Cathe-

rine Cree, 288; his repairs at Oxford and at St. Paul's, 291; represses Abbot's attempt to prevent the publication of an answer to Prynne's *Lame Giles*, 294; enforces conformity, 295; his part in the High Commission, 298; gives an account of the capture of a separatist congregation, 299; asks for a harsh sentence on Sherfield, 304; instigates the prosecution of the feoffees for impropriations, 306; objects to the Prayer Book drawn up by the Scottish Bishops, 354; wishes to see the English Prayer Book introduced into Scotland, 355; visits Scotland, 357; story of his behaviour at the Coronation, 358; becomes Archbishop of Canterbury, ii. 1; receives an offer of a Cardinal's hat, 3; is libelled by Ludowick Bowyer, 4; and by Lady Eleanor Davies, 5; harshness of his sentences, 6; restricts lecturers and chaplains, 7; objects to the clergy becoming dependent on the laity, 9; his view of the Royal authority, 9; advocates the repair of St. Paul's, 10; orders his chapel at Lambeth, 12; supports the change of the position of the Communion Table at St. Gregory's, 15; turns his attention to the English congregations on the Continent, 18; and to the chaplains in the English regiments in the Netherlands, 21: and to the emigration to New England, 23; interferes in the question of the Somersetshire wakes, 25; finds fault with Richardson, 26; his remarks on stage plays at Prynne's sentence, 39; refuses to keep Prynne from pen and ink, 41; is without female admirers, 48; attacks Portland, 65; produces a letter from Wentworth against Portland, 66; offers to visit Portland on his deathbed, 91; named a member of the Commission of the Treasury, and of the Committee for foreign affairs, 92; is kept in the dark by Charles, 93; is named a Commissioner to treat with France, 95; assures Hyde of his intention to spare no pains at the Treasury Commission, 161; opposes Cottington, 162; takes the part of the independent soapmakers, 169; his quarrel with Windebank, 171; his ideas on finance, 172; his dispute with Cottington about Richmond Park, 184; complains to Wentworth of Cottington's favour, 185; takes Pell's part in the Star Chamber, 187; argues against Bagg, 188; his love of equality, 205; begins the Metropolitical Visitation, 206; question how far he was justified in interfering with the clergy discussed, 212; gives a general order for removing the Communion tables, 214; statement by him of the usual position of, in parish churches, 214, *note*; requires conformity from the foreign congregations, 222; enforces the attendance at church of the children of foreigners, 222; general irritation caused by his proceedings, 223; deals equal justice to rich and poor, 224; summons gentlemen and persons of influence before the High Commission, 223; weakness of his position, 231; warns the King against making advances to Rome, 242; selects Juxon as his candidate for the Treasury, 245; his satisfaction at Juxon's appointment, 246; holds aloof from Panzani, 248; attempts to punish Lady Purbeck, 250; vindicates his right to visit the Universities, 252; attempt of Juxon to reconcile him and Windebank, 254; his want of courtesy, 255; receives the King at Oxford, 256; his opinion of Leicester's diplomacy, 272; rejects toleration, through fear, 274; resolves to attack Puritantism in New England, 275; warns Wentworth not to give offence to persons of influence, 295; is satisfied with the scheme for sending Charles Lewis to sea under the French flag, 326

Lawes, Henry, suggests the preparation of the *Comus* to Milton, ii. 43

Lawyers, their support of Charles's Government, i. 266

Layton, Sir Thomas, summoned before Wentworth, i. 279; asks Wentworth's assistance, 280

League, the Catholic, supports the Emperor in the issue of the Edict of Restitution, i. 124

Lech the, the Victory of Gustavus on, i. 239

Lecturers, the, Laud's disapprobation of, i. 162; restrictions placed on, 163; ii. 7

Leicester, Church restoration at, ii. 12; position of the Communion Table at, 13

Leicester, Earl of, (Robert Sydney), negotiates with the French Government, ii. 268; difficulties of his negotiation, 269, 271; Laud's opinion of, 272; ordered to conclude the treaty with France, 325
Leighton, Alexander, his early history, i. 176; writes *Sion's Plea against Prelacy*, 178; Star Chamber proceedings against, 181; sentence on, 182; execution of sentence on, 185; presence of, at Gouge's sermon at Blackfriars, 307
Leipzig, battle of, *see* Breitenfeld,
Leitrim, settlement of, ii. 107
Lennox, Duke of (James Stuart), takes Portland's part, ii. 65; brings the Duchess of Buckingham to plead with the King, 65
Lent, observance of, i. 198
Lewis XIII., King of France, accompanies Richelieu into Italy, and makes peace with Charles, i. 126; attacks Rohan and the Huguenots, 128; supports Richelieu against the Queen on the Day of Dupes, 224; is disappointed that the German Princes on the left bank of the Rhine do not accept him as a protector, 237; his terms offered to Charles, 261; takes Bernhard into his pay, ii. 87; refuses the title of Electoral Highness to Charles Lewis, 198; makes fresh overtures to Charles, 268; takes the field against the Spaniards, 271
Leyden, the Professors of, remarks of, on the English Prayer Book, ii. 21
Liberty of Printing. *See* Printing, liberty of
Licenses for fishing, demanded by Northumberland from the Dutch herring-boats, ii. 263; attempt to obtain the recognition of their validity from the Cardinal Infant, 335; attempt to induce the Dutch to take them, 336
Lincoln, Bishop of. *See* Williams, John
Lincoln, Earl of (Theophilus Clinton), visits Eliot in the Tower, i. 105
Lincoln's Inn, Preachers at, i. 26
Lindsay, David, Bishop of Brechin, takes part in a discussion on the introduction of the Scottish Prayer Book, i. 363; becomes Bishop of Edinburgh, 366
Lindsell, Augustine, Bishop of Peterborough, ii. 18
Lindsey, Earl of (Robert Bertie), his instructions, ii. 97; takes command of the first ship-money fleet, 98; sails down Channel, 99; finds no enemy, 100; returns to the Downs, 103; dispatches three vessels to the North Sea, 104; strikes his flag, 105; receives payment from Necolalde for convoying Spanish vessels to Dunkirk, 262
Little Gidding, purchased by Ferrar, i. 311; community formed at, 312; character of the life at, 313; arrangement of the church at, 317
Littleton, Edward, takes part in a debate on privilege, i. 48; does not take part with Eliot on the last day of the session, 90; argues in the King's Bench on behalf of the imprisoned members, 118; becomes Recorder of London, 266; becomes Solicitor-General, ii. 77
Liturgy, the Scottish, preparation of, directed by the Assembly at Aberdeen, i. 325
Loftus, of Ely, Lord, Lord Chancellor of Ireland, opposes Falkland, ii. 116; is named Lord Justice, 117; supports Wentworth, 124
Loftus, Sir Adam, sends money to England to procure the Vice-Treasurership of Ireland, ii. 306
London, Bishop of. *See* Montaigne, George; Laud, William; and Juxon, William
— City of, petition against Ship-money, ii. 88; forfeiture of the Londonderry charter by, 150
Londonderry, forfeiture of the Charter of, ii. 150
Long, Walter, is arrested, i. 100; applies for a habeas corpus, 115; is removed to the Tower, 120; agrees to give security for good behaviour, but afterwards returns to custody, 138
Longford, Settlement of, ii. 107
Lords Justices of Ireland, ii. 117
Lords of the Articles, mode of selecting the, i. 360
Lorraine, Duke of, Carlisle's mission to, i. 6; attack of Richelieu on, 237; is forced to surrender his fortresses, 240; goes into exile, ii. 56; attempt of Charles to procure the restitution of, 196
Loudon, Earl of (John Campbell), opposes the King in Parliament, i. 362
Louth, fraudulent appropriation of the property of the school at, ii. 210
Louvain, siege of, ii. 101
Ludlow Castle, representation of Milton's *Comus* at, ii. 143

LÜB

Lübeck, Treaty of, i. 128
Lützen, Battle of, i. 250
Luxemburg, Gaston in, i. 240
Lynn, report of the Metropolitical visitation of, ii. 208

MACHIAVELLI, maxims of, carried out by Wentworth, ii. 119
Madrid, Treaty of, i. 214
Maestricht, besieged by the Prince of Orange, i. 253; surrender of, 255
Magdeburg, storming of, i. 219
Maid of Honour, Massinger's, i. 245, ii. 44
Malden, riot at, i. 108
Malton, siege of Lord Eure's house at, i. 280
Manchester, Earl of (Henry Montague), argues about Tonnage and Poundage with the Merchant Adventurers, i. 107; arbitrates between Cromwell and Barnard, 203; his argument for the payment of Ship-money, ii. 89; appointed commissioner of the Treasury, 92
Mannheim, occupied by the French, ii. 87
Manwaring, Roger, his language about Parliaments, i. 20; receives a living, 21; is pardoned, 39; his pardon questioned by the Commons, 66
Mare Clausum, Selden's book on, ii. 260
Marillacs, the two, deaths of, i. 240
Marlborough, Earl of, (James Ley), resigns the presidentship of the Council, i. 9
Marshall, Dr., alleged ill-treatment of by Neile, i. 76
Marshalsea, Eliot imprisoned in the, i. 143
Marten, Sir Henry, convinces the Commons of the legality of Montague's episcopacy, 68: shows favour to the complainants in the case of the Communion Table at St. Gregory's, ii. 14
Martin, Dr., his conversation with Panzani, ii. 242
Mary de Medicis, Queen Dowager of France, intrigues against Richelieu, i. 224: takes refuge in the Netherlands, 225; wishes Charles to take her part, 226; Henrietta Maria desires to obtain leave for her to go back to France, ii. 197
— the Princess, birth of, i. 263
Maryland, foundation of the colony of, ii. 287; charter of, 288: toleration in, 291

MAY

Mason, R., argues on behalf of Eliot, i. 145
Massachusetts, settlements in, i. 190; toleration not allowed in, 191; Winthrop's landing in, 192; church membership the foundation of political rights in, 193; severity of rule in, 194; the King refuses to interfere with the settlement in, ii. 22; resistance to the Colonial Commissioners, 275; Gorges chosen by the Crown as Governor of, 276; assumption of independent authority by, 277; banishment of Roger Williams from, 278; Warwick's interest in, 279; rejection of the proposed aristocratic institutions in, 281; Vane elected Governor of, 283; religious disputes in, 284
— Bay, charter of the Company of, granted, i. 190; transferred to America, 191; declared null and void, ii. 276
Masque presented by the Inns of Court, ii. 37
Massinger, Philip, his political plays, i. 243; his *Believe as you List*, 244; his *Maid of Honour*, 245; his morality, ii. 33; his ideal of purity, 44; his opinion on celibacy, 47
Master of the Horse. *See* Holland, Earl of
Material prosperity, admiration of, by Weston and Carew, i. 251
Matrimonial causes in the Court of High Commission, i. 298
Maximilian, Elector of Bavaria, his secret treaty with France, i. 218; draws closer to the Emperor after the Battle of Breitenfeld, 237; his language about the Lower Palatinate, ii. 200; speaks contemptuously of Arundel's offers, 267; gives a vote at the election of the king of the Romans, 317
Maxwell, James, brings the Bishop's Prayer Book from Scotland, i. 354; explains to Laud that the Scotch will object to the English Prayer Book, 355; becomes Bishop of Ross, and is consulted on the form to be given to the Prayer Book, 363
May, Sir Humphrey, argues for the Government in Rolle's case, i. 82; argues against Eliot's proposal to call the Custom House officers to account, 84; attempts to mediate between the King and the Commons, 86
Mayo, proposed plantation of, ii. 147; acknowledgment of the King's title to, 154

Meade, Joseph, approves of Laud's firmness, i. 298
Measure for Measure quoted, ii. 44
Melrose, Earl of (Thomas Hamilton), his report on the difficulty of enforcing the Articles of Perth, i. 347
Mentz, Gustavus Adolphus at, i. 237
Merchant Adventurers, required to pay Tonnage and Poundage, i. 106
Metropolitical visitation, the, ii. 206
Milton, John, his lines *At a solemn music*, i. 320; writes *Il Penseroso*, 321; writes *Comus*, ii. 43; his ideal of purity, 44
Monaghan, churches taken possession of by the Catholics in, ii. 115
Monson, Sir William, Vice-Admiral of the first ship-money fleet, ii. 262
Montaigne, George (Bishop of London) consecrates St. James's in Aldgate, i. 289
Montague, Richard, language of the concluding paragraph of *Appello Cæsarem*, i. 20; made Bishop of Chichester, 21; receives a remonstrance from Heath, 33; writes to Abbot, on which his *Appello Cæsarem* is called in, 38; is pardoned, 39; legality of his consecration questioned, 62; his pardon questioned by the Commons, 66; legality of his consecration acknowledged by the Commons, 68; unfit words said to have been inserted in his pardon, 69; confers with Panzani, ii. 242; favours the union with Rome, 243; his further meeting with Panzani postponed, 245; has a fresh interview with Panzani, and declares for a union with Rome, 248
— Sidney, buys Hinchinbrook from Sir Oliver Cromwell, i. 72
— Walter, writes *The Shepherd's Pastoral*, ii. 36; announces his conversion to the Church of Rome, 242
Montmorency, Duke of, his rebellion and execution, i. 257
Moore, Dr., warned by Neile not to preach against Popery, 69; his evidence, 77
Mora, the Lady, ii. 161; her waiting-maid, 171
Morgan, Sir Charles, ordered to Glückstadt, i. 5; directed to do nothing till the spring, 9
Morton, Archbishop, his painted glass at Lambeth, ii. 12
— Thomas, becomes Bishop of Durham, ii. 18
Mountnorris, Lord (Francis Annesley), gives a lukewarm support to Wentworth, ii. 124; Wentworth's dislike of him, 296; talks of resigning his office, 297; his language at the Chancellor's dinner, 298; is brought before a Council of War, 299; is sentenced to death, 300; reflections on his trial, 301; Wentworth's defence of his conduct towards him, 302
Munich entered by Gustavus, i. 239
Music, Herbert and Milton on, i. 319
Muster, orders relating to the, ii. 96
Mynn, George, fined for malpractices in Dean Forest, ii. 75

NAUNTON, Sir Robert, death of, ii. 164
Necolalde, Juan de, his comment on Charles's foreign policy, ii. 51; negotiates with Charles for a Spanish alliance, 58; consults with a secret committee on a treaty, 60, 64; sends intercepted despatches to Charles, 78; his want of confidence in Charles, 81, 84; wearies Charles with his objections, 93; reports Charles's ill-will towards France, 95; ordered to urge Charles to sign the Partition Treaty, 97; gives the title of Electoral Highness to Charles Lewis, 198
Negotium Posterorum, written by Eliot in prison, i. 233
Neile, Richard, Bishop of Durham and subsequently of Winchester, and Archbishop of York, attacked by the Commons in 1628, i. 20; patronises Cosin, 22; directs Heath to draw certain pardons, 66; said to have caused the insertion of certain words in Montague's pardon, 68; is sent for by the Commons on various charges, 69; his part in the pardons again questioned, 68, 71; Cromwell's charge against, 75; fresh accusations against, 76, 77; defends the Divine right of episcopacy, 183; wishes for a harsh sentence on Sherfield, 304; becomes Archbishop of York, ii. 18
Netherlands, the Spanish, discontent in, i. 253; application to Charles by the nobles of, 254; English protection offered to, 255; negotiation with the Dutch by the States-General of, 255; refusal of, to declare themselves independent, 256; deputies of, at the Hague, 259; proposed revolution in, ii. 53; failure of the revolutionists in, 54; end of the negotiations of, with the

NET

Northern States-General, 55; condition of, 56; treaty between France and the Northern States-General for the partition of, 94; failure of the French attack on, 101

Netherlands, United Provinces of the, refuse to come to terms with Spain, i. 127; proposed secret league between England and Spain against, 211; signature by Cottington of the league against, 216; Roe's opinion in favour of an alliance with, 242; negotiation of, with the States-General of the Spanish Netherlands, 255, 259; English nonconformists take refuge in, ii. 20; continuance of negotiations in, 53; end of the negotiations in, 55; treaty of, with France for assistance, 78; treaty of, with France for the partition of the Spanish Netherlands, 94; failure of their attack on the Spanish Netherlands, 101; their vessels follow the Dunkirk privateers into English waters, 104; irritation caused in, by Northumberland's demand of payment from the herring-boats, 264; progress of toleration in, 277

Nethersole, Sir Francis, reports of proceedings in Parliament by, i. 47, 51; proposes a benevolence, ii. 51; disgrace and imprisonment of, 59

Neutrality, violation of, by the Dunkirkers, ii. 98: by the Dutch, 104

New buildings, proclamation against, i. 197

New England, fresh settlements in, i. 190; emigration of Davenport to, ii. 22; interference of the Privy Council with emigration to, 23; chances of toleration in, 275; surrender of authority by the Council of, 276

New Forest, the, forest court in, ii. 182

Newfoundland, charter of the colony of, ii. 288

Newington Woods, congregation of Separatists taken in, i. 299

News forbidden to be printed, i. 249

Nicholas, Edward, is appointed to superintend the collection of ship-money, ii. 190

Nonconformity, various aspects of, ii. 211

Norris, Sir Francis, his difficulty in collecting ship-money as sheriff of Oxfordshire, ii. 201

Nördlingen, the battle of, ii. 84; effect in England of the news of the battle of, 85

ORA

North and South of England, difference between, i. 275, 289

Northumberland, Earl of (Algernon Percy), placed in command of the second ship-money fleet, ii. 262; sails up and down the Channel, 263; exacts payment from the Dutch fishing-boats, 264; takes the command of the third ship-money fleet, and attempts to distribute licenses amongst the Dutch fishing vessels, 336

Norton, Sir Daniel, accuses Bishop Neile, i. 69

Norwich, report of the metropolitical visitation of, ii. 208

Norwich, Bishop of. *See* Corbet

Notables, the Irish, ii. 112

Noy, William, objects to Eliot's proposal to call the farmers of the Customs to account, i. 80; and to Selden's proposal to interfere with the Court of Exchequer, 82; becomes Attorney-General, 266; his argument against Sherfield, 304; prosecutes the feoffees for impropriations, 306; takes part in the Inns of Court Masque, ii. 37; proposes that Prynne be kept from pen and ink, 41; Ship-money suggested by, 66; death of, 69

Nüremberg, Gustavus enters, i. 239; attack of Wallenstein on Gustavus at, 248

OCHILTREE, Lord (James Stewart), accuses Hamilton to Weston, i. 222; is sentenced to perpetual imprisonment, 223

Olivares, Count of, and Duke of San Lucar, his overtures about the Palatinate, i. 9; refuses to engage himself till Cottington arrives in Spain, 135; negotiates with Cottington, 211; signs a treaty for the partition of the Dutch Netherlands, 216; advises the Emperor to suspend the Edict of Restitution, 220; is displeased at the arrival of Mary de Medicis in the Netherlands, 226; wishes to avoid a conflict with France, 228; distrusts Charles, ii. 81; consents to the treaty for advancing money for the English fleet, 97

Oñate y Villamediana, Count of, arrives in England as Spanish ambassador, ii. 269; blames Arundel, 317; amuses Charles with negotiations about the Palatinate, 334

Orange, Prince of. *See* Frederick Henry

Oratorians, their dismissal from the Queen's household proposed, i. 134
Orleans, Duke of. *See* Gaston
Ormond, proposed plantation of, ii. 146
Oundle, metropolitical visitation of, ii, 210
Oxenstjerna, Axel, Chancellor of Sweden, Anstruther's mission to, i. 260; signs the League of Heilbronn, ii. 50; received with jealousy by the generals, 63; treats Charles's offers with disdain, 87
— John, his mission to England, ii. 64
Oxford, Bishop of. *See* Bancroft
— the University of, discipline revived in, i. 165; party feeling in, 294; expulsion of Prynne from, ii. 40; Coke's speech at the presentation of new statutes to, 252; the King's visit to, 256; decorations of the chapels at, 258; want of enthusiasm in the King's reception, 259
Oxfordshire, opposition to Ship-money in, ii. 190, 201

PAGE, Mr., answers Prynne's *Lame Giles, his haltings*, i. 293
Painted windows, Sherfield's objection to, i. 302; Laud's repair of, at Lambeth, ii. 12
Palatinate, The, Charles's anxiety to regain, i. 3, 4; idea of a Spanish alliance for the recovery of, 6; offers of Olivares about, 9; discrepant statements of Coloma and Rubens about, 129; negotiations between England and Spain about, 210; omission in the treaty of Madrid of decided stipulations about, 216; conditional promise of the restitution of, 228; the Abbot of Scaglia's negotiation on, 231; conversation of Gustavus with Vane about, 238; Jerome Weston's mission concerning, 247, 258, 260; the Swedes asked to surrender the fortresses of, 260; negotiations with the League of Heilbronn about, ii. 50; benevolence proposed for the relief of, 51; proposed expedition of Charles Lewis to, 58; French occupation of, 87; Charles demands from the French assurances about, 95; provisions of the Treaty of Prague for the disposal of, 103; Charles thinks of asking the Emperor for the restitution of, 179; Richelieu's offer about, 195; Charles's proposal to exchange Lorraine for, 196; proposal of the Emperor and Maximilian about, 200; Arundel's mission to negotiate at Vienna for the restitution of, 265; rejection of Arundel's proposals about, 267; Leicester's negotiation with France about, 268; fresh overtures from France about, 369; delays of France in settling a treaty for, 333; Charles turns to Spain for help about, 334
Palmer, Mr., fined in the Star Chamber, ii. 286
Panzani, Gregorio, arrives in England on a mission from Rome, ii. 236; his conversations with Windebank, 237; discusses the terms of union between the Churches of England and Rome, 239; reports that Catholic doctrines are spreading in England, 240; his conversation with Lord Herbert of Cherbury, 241; confers with Bishop Montague, 242; his further meeting with Montague postponed, 245; fresh conversation with Montague on the union of the Churches, 248; keeps back a letter from Cardinal Barberini, 251; enjoys the ridicule thrown on the Puritans in Strode's play, 258
Pardons granted to Silthorpe and others, i. 39; questioned in the House of Commons, 66; Neile's connection with, 66, 68, 71
Parliament, the English, prorogation of, i. 16; opening of a session of, i. 46; dissolution of, 100; rumours of the meeting of, 232, ii., 241; demand for, by the Opposition Lords, 316
— the Irish, summoned and countermanded, ii. 114; promised again, 117; defects of, 118; Wentworth's preparations to manage, 134; meeting of, 137; parties in, 139; proceedings of, 140; opposition in, 141; dissolution of, 142
— the Scottish, i. 329, 345, 359
Parliamentary privilege. *See* privilege of Parliament
Parsons, Sir William, evidence alleged to have been forged by, ii. 116
Pelham, Sir William, believes that a storm has been raised by the Lancashire witches, ii. 30
Pell, Sir Anthony, case of, in the Star Chamber, ii. 186
Pembroke and Montgomery, Earl of (Philip Herbert), nominated for the Chancellorship of Oxford, i. 165; asks the King to present George

Herbert to Bemerton, 317; seizure of a herring boat belonging to, ii. 95; presents a petition on behalf of the foreign churches, 223; is present at the performance of *The Royal Slave*, 258; defends the Earl of Cork, 295
Pembroke, Earl of (William Herbert), looks forward to co-operation with France in Germany, i. 5; death of, 165
Pennington, John, allows Ambrose to preach at Hamburg, ii. 19
Percy, Henry, his influence with the Queen, ii. 262
Perth, Assembly at, i. 340
— the five articles of, voted in the Assembly, i. 343; confirmed by Parliament, 345; difficulty of enforcing, 346; partial suspension of, 350
Peterborough, Bishop of. *See* Lindsell, Augustine
Peters, Hugh, preaches at Rotterdam, ii. 20, 22
Petition of Right, the, the Judges bail Chambers in accordance with, i. 17; its mode of enrolment questioned, 46; its violation complained of by Selden, 47; Charles declares his intention of observing, 101; explanation of by the Government, 116; spoken slightingly of by Heath, 118; the spirit of it not observed by Charles, 122; its principle needed to be fortified by further enactments, 153; held to be in force during the rest of the reign, ii. 294
Pews, Bishop Corbet's remarks on, ii. 17
Phelips, Sir Robert, moves for a committee on Tonnage and Poundage, i. 48; is sent to ask Heath by what authority he had drawn certain pardons, 66; brings charges against Neile, 76; does not take part with Eliot on the last day of the session, 90; complains of the interference of the Judges with the wakes, ii. 25
Philip, Father, the Queen's confessor, i. 134
Philippsburg, reported capture of, ii. 59
Pierce, Bishop of Bath and Wells, ii. 18; his report on the Somersetshire wakes, 26; excommunicates the churchwardens of Beckington, 217
Piracy in Ireland repressed by Wentworth, ii. 125
Plague, the measures taken to restrict the ravages of in 1630, i. 197

Plantation of Ormond and Connaught proposed, ii. 146
Plate fleet, the, capture of by the Dutch, i. 11
Pleasance, Mr., his conversation with Cosin on the Royal supremacy, i. 65
Plumleigh, Sir Richard, appointed by Wentworth to suppress piracy in Ireland, ii. 126
Poor, commission for the relief of the, i. 201
Popish Impostures, Harsnet's, ii. 29
Porter, Endymion, his mission to Madrid, i. 6, 9
Portland, Earl of (Richard Weston), is shewn letters seized from De Jars, i. 264; supports the removal of the Communion table at St. Gregory's, ii. 15; persuades Charles not to permit the levy of a benevolence for the Palatinate, ii. 52; appointed to treat with Necolalde, 58; opposition in the Privy Council to, 65; suspected of conniving at malpractices in the forest of Dean, 73; dismisses his secretary, 76; employed in negotiating the secret treaty with Spain, 79; is encouraged by the Battle of Nördlingen, 85; his irregular receipts, 90; his illness, 91; dies, acknowledging himself to be a Catholic, 92
Portland Roads, French fleet in, ii. 99
Port Royal, French settlement at, i. 190
Portumna, Wentworth's treatment of the jury at, ii. 154
Poslingford, proceedings of Francis Abbott in the church of, ii. 212
Pougny, the Marquis of, arrives as ambassador from France, ii. 79
Pouke, Irish nickname of, ii. 129
Poulett, Lord (John Poulett), petitions against the wakes, ii. 25
Poyning's law, benefit of, claimed by the English Council, ii. 114
Prague, peace of, ii. 102
Prayer Book for Scotland, prepared by Hewat, i. 353, discussion on the introduction of another, 354, 363
— — the English, read in the Netherlands, ii. 21
Predestination, Calvinistic doctrine of, its moral side, i. 21; its public discussion forbidden by the King, 37; opinion of Rouse on, 52; Davenant's sermon on, 164
Presbyterianism advocated by Leighton, i. 179; popular in Ulster, ii. 245
Presteign, tithes of, taken for a church in London, i. 306

PRI

Price, Captain, Wentworth's letter to, on the subject of the court-martial on Mountmorris, ii. 303
Price, Dr., extraordinary story told of, i. 77
Printing, liberty of, Selden's opinion of, i. 70; refused by the Star Chamber and the High Commission, 161
Privas, capture of, i. 128
Privilege of Parliament alleged to be attacked in Rolle's case, i. 48; growth of, 49; vote of the Commons on, 85; question of, avoided by Heath, 113; demurrer of the imprisoned members on, referred to the Judges, 117; pleaded by Eliot, Holles, and Valentine, 145; declared by the Judges to be no bar to their jurisdiction, 146
Privy Council, the, supports the custom-house officers and commits Chambers, i. 16; complains of the Judges for bailing Chambers, 17; attempts to restrict the plague, 197; and to prevent a famine, 198; desires a league with Gustavus, 238; orders the demolition of houses abutting on St. Paul's, 292; opposition to Portland in, ii. 65; is kept in the dark as to the King's intention of allying himself with Spain, 67; supports the Soap Company, 168; said to be venal, 205; restricts emigration to New England, 275
Privy Council, the Irish, ii. 124; expulsion of Crosby from, 141
Privy Council, the Scottish, ill-fitted to govern, i. 371; Bishops admitted into, 373
Proclamation, for leaving London, i. 285
Prohibitions issued against the Council of the North, i. 283; threatened against the High Commission, 298
Prynne, William, his early life, i. 25; his first books, 27; his attack upon Cosin's Devotions, 28; his *Lame Giles, his haltings*, 293; his *Histriomastix*, ii. 34; his attack on female actors, 35; question whether he attacked the Queen discussed, 36; is sent to the Tower, 37; his trial in the Star Chamber, 39; his sentence, 40; fresh proceedings against him, 41; his action on the drama, 42; is ridiculed in Strode's *Floating Island*, 256
Public acts of the Church, their nature discussed in the House of Commons, i. 59
Purbeck, Lady, escapes to France from

RIC

a sentence in the High Commission, ii. 250; takes refuge in a nunnery, 251; remains in distress at Paris, 252
Purbeck, Viscount (John Villiers), insanity of, ii. 249
Pym, John, his constitutional views, i. 53; opposes the narrowing of the debate on Tonnage and Poundage to a question of privilege, 83; does not take part with Eliot at the end of the Session, 90

QUEBEC taken by Captain Kirk, i. 190
Queen, the. *See* Henrietta Maria
Quiroga gives information to Anstruther, i. 228

RADCLIFFE, Sir George, becomes a member of the Irish Privy Council, ii. 124
Raine, Mr., leaves money for the support of a lecturer, ii. 8
Ramsay, David, is challenged by Lord Reay, i. 223
Ratcliff, Philip, severe sentence on, i. 194
Ratisbon, proposed diet at, i. 210, 212; dismissal of Wallenstein in the diet at, 213; surrenders to Bernhard of Weimar, ii. 57; recaptured by the Imperialists, 84
Reay, Lord (Donald Mackay), accuses Hamilton, i. 222; challenges Ramsay, 223
Recusancy fines, ii. 233
Recusants. *See* Catholics
Religion, Committee of the Commons on. *See* Committee on Religion
Replevin, sued out by the owners of goods seized for Tonnage and Poundage, i. 15; declared illegal by the Court of Exchequer, 18
Revenue and expenditure of the Crown, state of the, in 1629, i. 106; in 1634, ii. 90; in 1635, 177
Rhinberg, taken by the Prince of Orange, ii. 54
Rich, Sir Nathaniel, enumerates the public acts of the Church, i. 59; doubts whether members have privilege for goods against the King, 83
Richardson, Thomas, Chief Justice of the Common Pleas, promoted through his connection with Buckingham, i. 112; becomes Chief Justice of the King's

Bench, 266; votes for a lenient sentence on Sherfield, 304; orders the suppression of the Somersetshire wakes, ii. 25; is rated by Laud, 26; his part in Prynne's sentence, 39, 41.
Richelieu, Cardinal, his bearing towards Charles, i. 5; passes the Alps and inflicts a check upon Spain, 126; turns against Rohan, 128; his energetic diplomacy in Italy and Germany, 213; his treaties with Sweden and Bavaria, 218; makes overtures to Weston, 224; is supported by Lewis against the Queen and Gaston, 224; attacks Lorraine and hopes to extend a French protectorate to the Rhine, 237; overpowers the French aristocracy and reduces the Duke of Lorraine to submission, 240; sends St. Chaumont to England, 241; receives overtures from the Spanish Netherlands, 253; overpowers Gaston and the Duke of Montmorency, 257; determines to ally himself with the Dutch, 258; sends his terms of alliance to Charles by Jerome Weston, 261; sends to Portland the letters he had seized from De Jars, 264; makes terms with the League of Heilbronn, ii. 50; expels the Duke of Lorraine, 56; averts a conflict with England on the question of saluting Charles's flag, 99; proposes a compromise, 100; persists in going on with the negotiation with Charles, 195; gives no reply to Charles's proposal for an exchange of Lorraine for the Palatinate, 196; spins out the negotiation with Leicester, 270; resists the Spanish invasion, 271; offers to accept an auxiliary treaty from Charles, 319
Richmond Park, dispute between Laud and Cottington about, ii. 184
Robinson accuses various persons of witchcraft, ii. 31; acknowledges that his evidence was false, 32
Rochelle, Charles refuses to make peace with France as long as it holds out, i. 5; its fall, 6
Rochford, Lord (John Carey), visits Eliot in the Tower, i. 105
Roe, Sir Thomas, advocates an alliance with the German Protestants, i. 125; is sent on a mission to the Baltic, 130; is neglected by Charles, 136; takes part in arranging a truce between Sweden and Poland, 213; refuses to return to Germany without money, 214; doubts the sufficiency of Hamilton's levies, 218; rejoices at the victories of Gustavus, 239; his paper of advice on foreign policy, 241; his disappointment at Windebank's becoming Secretary of State, 243; advises an alliance with Gustavus, 249; his language about the Ship-money, ii. 69, 87; his belief that Laud will take up a new line of foreign policy, 93
Rohan, the Duke of, assured of Charles's support, i. 7; his rebellion, 128
Rolle, John, case of his goods seized for non-payment of Tonnage and Poundage decided in the Exchequer, i. 18; question of privilege raised with respect to, 48; technicality of his case, 49; question concerning his goods put to the Custom House Officers, 82; is declared by the Commons to be entitled to privilege, 85
Roper, Sir Anthony, fined for depopulations, ii. 172
Roscommon, proposed plantation of, ii. 147; acknowledgment of the King's title to, 153
Rosencrantz arrives in England as Danish ambassador, i. 4; asks in vain for aid, 8
Rothes, Earl of (John Leslie), opposes the King in Parliament, i. 362; tries to present a supplication to him, 367
Rotterdam, Hugh Peters preaches at, ii. 20
Rouse, Francis, his speech on religion, i. 52
Roxburgh, Lady, chosen to have the care of Prince Charles, i. 175; removed from the charge, 176
Royal Slave, The, performed at Oxford, ii. 258
Royal supremacy in the Church, the, Laud's respect for, i. 158; Laud's interpretation of, ii. 10
Rubens, Peter Paul, his mission to England, i. 129, 130, 210; his picture of Peace and War painted in England, 210
Rumborough, the Curate of, charged with nonconformity, ii. 209
Rupert, Prince, arrives in England, ii. 201; visits Oxford, 257
Ruremonde taken by the Prince of Orange, i. 353

SABBATH, Puritan idea of the, ii. 12, 24

SAC

Sacrifice in the Eucharist, opinion of Andrewes on the, i. 30, note 3
St. Albans and Clanrickard, Earl of. *See* Clanrickard, Earl of
St. Andrews, James's speech to the clergy at, i. 333; assembly held at, 335
St. Catherine Cree, proceedings at the consecration of, i. 288; Dr. Dennison's behaviour at, ii. 211
St. Chaumont, Marquis of, his mission to England, i. 241
St. Edmund's at Salisbury, painted window of, broken by Sherfield, i. 303
St. Gregory's, removal of the Communion Table at, ii. 14; the King's decision on the complaint of the parishioners of, 15
St. John, Lord (Oliver St. John), visits Eliot in the Tower, ii. 105
— Oliver shows a copy of Dudley's paper to the Earl of Bedford, i. 172; prosecution and pardon of, 173
— Sir Oliver, created Viscount Grandison, ii. 107
St. John's College, Oxford, repaired by Laud, i. 291; the King's visit to, ii. 257
St. Margaret's, Lothbury, removal of the Communion Table at, ii. 216
St. Paul's, repairs of, i. 291; demolition of houses abutting on, 292; Inigo Jones superintends the works at, ii. 10; misuse of the nave and aisles of, remedied by the King, 11
Salem, settlement of, i. 190; the cross torn out of the flag at, ii. 279
Salisbury, Cathedral of, visitation of the, ii. 207
— Earl of (William Cecil), takes part with the Earl of Cork, ii. 295
Salt, Government monopoly of, in Ireland, ii. 127
Santa Clara, Franciscus a. *See* Davenport, Christopher
Savage, John, his mutilation in the Star Chamber, i. 47
Savoy, Duke of (Charles Emmanuel), mission of Carlisle to, i. 6
Saxby, the lead stripped from the church at, ii. 210
Saxony, Elector of. *See* John George
Saye and Sele, Lord (William Fiennes), takes part in the opposition to Shipmoney, ii. 190, 203; takes part in the foundation of Connecticut, and proposes to establish an aristocratic constitution in Massachusetts, 280
Scaglia, the Abbot of, invited to England, i. 7; comes to revive the negotiation for the Palatinate, 231

SEL

Scarborough, fight between a Dutch vessel and a Dunkirker at, ii. 104
Schenck's sconce, taken by the Spaniards, ii. 102
Schools, fraudulent appropriation of the property of, ii. 210
Scot, Reginald, his *Discovery of Witchcraft*, ii. 29
Scotland, Hamilton's levies in, i. 221; establishment of episcopacy in, 324; preparation of a new liturgy for, 325; feeling in, about James's five articles, 326; visit of James to, 329; heritable jurisdictions in, 330; maintenance of the clergy in, 331; preparation of a Prayer Book for, 333; the King's five articles urged in, 333; objections to the articles in, 334; assembly at St. Andrews in, 335; assembly at Perth in, 340; the five articles adopted in, 343; enforced in, 344; confirmed by Parliament in, 345; attack upon the ecclesiastical property of laymen in, 347; commutation of tithes in, 350; heritable jurisdictions in, 352; visit of Charles to, 353; revival of the question of a Liturgy for, 354; position of the Bishops of, 356; ceremonies used at Charles's coronation in, 358; Parliamentary opposition in, 359; postponement of the introduction of a Prayer Book in, 363; supplication by the Lords of the opposition in, 367
Scudamore, Viscount (John Scudamore), attempts to serve a writ on Lady Purbeck, ii. 250
Secret treaty with Spain against the Dutch, i. 211, 216; ii. 58, 79
Secretary of State. *See* Conway, Lord; Dorchester, Viscount; Coke, Sir John; Windebank, Sir Francis
Secular clergy, their dissensions with the Jesuits, ii. 234
Selden, John, alleges that the Petition of Right has been broken, i. 47; limits the number of the public acts of the Church, 59; his opinion on liberty of printing, 70; attacks the priests found at Clerkenwell, 77; proposes a message to the Court of Exchequer, 81; sides with Eliot against Pym, 83, 90; suggests that if the Speaker refuses to put the question, he should be deposed, 97; his imprisonment and answers, 103; applies for a *habeas corpus*, 115; his

demurrer in the Star Chamber, 117; furnishes the heads of Littleton's argument in the King's Bench, 118; takes part in the Inns of Court Masque, ii. 37; writes *Mare Clausum*, 260
Seneterre, the Marquis of, comes to England as French ambassador, ii. 94; despairs of his negotiation, 195; refuses to transmit to France the project of an exchange of Lorraine for the Palatinate, 196; attempts of Cottington to mystify, 245
Separatists, congregation of, taken, i. 299; congregations of, in the Netherlands, ii. 20; search for, 23
Seymour, Sir Francis, supports Pym against Eliot, i. 84
Shelford, Robert, his *Five Discourses* published, ii. 225; his remarks on preaching, 231
Shepherd's Pastoral, The, written by Walter Montague, ii. 37
Sherfield, Henry, reports on Montague's pardon, i. 68; considers a painted window at Salisbury superstitious, 302; breaks it, 303; is sentenced in the Star Chamber, 304
Shilton, Sir Richard,, resigns the solicitor-generalship, ii. 77
Ship-money suggested by Noy, ii. 66; submitted to Coventry and Manchester, 67; justified before the Council on the ground of the necessity of protecting English trade, 68; referred to a committee, 69; issue of the first writ of, 81; question how far it was a tax discussed, 87; London petition against, 88; Manchester's argument for the payment of, 89; Coventry's declaration that it is to be levied in the inland counties, 175; question of the right to its levy passed over in silence, 176; issue of the second writ of, 180; feeling at Court and in the nation about, 181; collection of, under the second writ, 189; opposition to, in Oxfordshire, 190; resistance to, in Essex, 191; opinion of the judges in favour of the legality of, 192; Berkeley's decision on, 203; D'Ewes's opinion on the effect of, 204; the third writ of, 313: rising opposition to, 314; resistance in Essex to, 319; question of its legality again referred to the judges, 320; the judges' declaration on, 322; its collection, 324
Shirley, James, his *Triumph of Peace*, *Gamester*, and *Witty Fair One*, ii. 38

Sibbes, Richard, one of the feoffees for impropriations, i. 307; his ministry at Cambridge, 308
Sibthorpe, Robert, his language against Parliaments, i. 20; is pardoned, 39; his pardon questioned in the House of Commons, 66
Simmern, the Duke of, acknowledged as Administrator of the Palatinate, ii. 51; proposes that Charles Lewis should be sent to the Palatinate, 58; admits French garrisons into the Palatinate, 87
Sion College, Prynne's books left to, ii. 42
Sion's Plea against Prelacy, character of the book, i. 178
Sligo, proposed plantation of, ii. 147; acknowledgment of the King's title to, 154
Smart, Peter, his sermon at Durham, i. 64; his prebend sequestered, 65; appeals to the Judges of Assize, 160; is sentenced to degradation, 161
Smith, William, Bishop of Chalcedon, his banishment, ii. 234
Soap, company for the manufacture of, formation of, ii. 165; resistance to, 167; opposition to, 169
Somerset, Earl of (Robert Carr), his connection with Dudley's paper of advice, i. 171
Somersetshire, wakes in, ii. 240
Soranzo, Giovanni, his remark on the resistance to the payment of Tonnage and Poundage, i. 131
Southampton, Earl of (Thomas Wriothesley), called in question for lands in the New Forest, ii. 182
Sovereignty of the seas, Charles' claim to, justified by Sir J. Coke, ii. 68; Sir John Borough's treatise on, 69; explained by Portland, 85; Coventry's explanation of, 174; defended in Selden's *Mare Clausum*, 260
Spain, growing weakness of, i, 10; losses of, in the Netherlands, 11, 208; negotiation for peace with, 209; plan for an alliance against the Dutch with, 211; signature of the Treaty of Madrid with, 215; secret treaty against the Dutch with, 216; Roe's opinion of an alliance with, 242; unpopularity of, in the Spanish Netherlands, 253; asked to surrender part of Flanders to Charles, 255; proposed alliance of, with England, ii. 60; close alliance of, with the Emperor, 63; secret treaty with England ne-

gotiated on behalf of, 80; reaps the fruits of the battle of Nördlingen, 85; urged by Charles to conclude the treaty, 93; treaty of, with England, for setting out a fleet, 97; war declared by France against, and consequent inability of, to find money for a contribution to the English fleet, 98; invasion of France by, 268, 271
Spanish Netherlands, the. *See* Netherlands, the Spanish
Speaker of the House of Commons, difficulty of his position, i. 94
Spencer, Mary, account of her trial for witchcraft, ii. 31
Spens, Sir James, urges Charles to join Gustavus, i. 125
Spenser, his *Hymn of Beauty* quoted, ii. 44
Spottiswoode, John, Archbishop of St. Andrews, reluctantly consents to support the King's articles, i. 327; urges the clergy to submit, 339; preaches at the Assembly of Perth, 340; obtains a vote in favour of the Articles, 342; sends the supplication of the Parliamentary Opposition to the King, 361; becomes Chancellor of Scotland, 373
Stafford, Anthony, his *Female Glory*, ii, 229
Stage, the, immorality of, ii. 33; Prynne's attack on, 34
Stamford, behaviour of Vicars at, i. 301; metropolitical visitation of, ii. 210
Star Chamber, the proceedings commenced in, against Chambers, i. 17; its sentence on Savage attacked by Selden, 47; proceedings against those who resist payment of Tonnage and Poundage, 79; its constitution, 108; its sentence on Chambers, 109; information against the imprisoned members brought into, 116; its jurisdiction questioned in the Exchequer, 143; its decree against unlicensed printing, 161; proceedings in, against the circulation of Dudley's paper of advice, 173; case of Leighton in, 181; its constitution, 183; Palmer fined in, 286; Sherfield sentenced in, 304; Bowyer sentenced in, ii. 4; proceedings against Prynne in, 37, 39, 41; proceedings against oppressive gentlemen in, 173; case of Pell and Bagg in, 186
States-General of the Spanish Netherlands. *See* Netherlands, the Spanish
— of the United Provinces of the Netherlands. *See* Netherlands, United Provinces of
Steeple Aston, painted windows in the church at, i. 303
Stoke Newington, resistance to Shipmoney at, ii. 202
Stralsund, failure of Wallenstein to take, i. 123
Strode, William, supports the reading of Eliot's resolutions, i. 92; urges the Speaker to put them to the question, 93; is arrested, 100; applies for a *habeas corpus*, 115; demands immediate bail from the judges, 118; is removed to the Tower, 120
— — Public Orator at Oxford, his *Floating Island*, ii. 256
Struthers, William, writes a letter on innovations in the Church of Scotland, i. 357
Subsidies, grant of six by the Irish Parliament, ii. 140
Supplication of the Scottish Parliamentary Opposition, i. 367
Supreme Head of the Church, the King's title of, questioned, i. 65
Surplice, a, used at a sermon at Edinburgh, i. 361
Susa, Treaty of, i. 126
Swaffham, report of the metropolitical visitation of, ii. 208
Swearers, punishment of, in Massachusetts, i. 194
Swedes routed at Nördlingen, ii. 84
Sydserf, Thomas, is consulted on the introduction of a Prayer Book into Scotland, i. 363; becomes Bishop of Brechin, 366

TAYLOR, John, appointed to go to Vienna to discover the intentions of the Emperor, ii. 180; arrives at Vienna, 199; is satisfied with the Emperor's proposals, 200
Thorough, policy of, ii. 160, 205
Tilly, Count of, storms Magdeburg, i. 219; is ordered to attack the Elector of Saxony, ii. 229; is defeated at Breitenfeld, 230; death of, 239
Tirlemont, sack of, by the French, ii. 101
'Tis pity she's a whore, quoted, ii. 45
Tithes owned by the Scottish nobility, i. 347; commutation of, 350
Tobacco, seized by the Dunkirkers as a munition of war, ii. 95
Toleration, Laud's view of, i. 155; not adopted in New England, 191; difficulties in the way of, 194; progress

of, on the Continent, ii. 272; conditions of, in England, 274; chances of, in New England, 275; discussion between Vane and Winthrop on, 285; secured in Maryland, 291
Tonnage and Poundage, its levy without consent of Parliament declared illegal by the Commons, i. 12; importance of the question at issue, 14; resistance to the payment of, 15; decision of the King to leave the question to Parliament, 19; fresh resistance to the demand for payment, 44; bill on, brought in by Sir J. Coke, 51; fresh discussion on, 78; declaration of the Commons against the payers of, 99; Charles's view of his right to, 102; payment of, enforced after the dissolution, 106; restitution of part of the goods seized for non-payment of, 110; continued resistance to, 136; case of, in the Exchequer, 143; final enforcement of its payment, 205
Treasurer, Lord. *See* Weston, Lord; Portland, Earl of; Juxon, Bishop
Treasury, put in commission, ii. 92; estimate of the profit of the office, 146, note 3
Treaty of Susa, i. 126; of Lübeck. 128; of Madrid, 215; for the partition of the Dutch Netherlands, 216; of Bärwalde, 218; between France and Bavaria, 218; between France and the Netherlands for assistance, ii. 78; between France and the Netherlands for a partition of the Spanish Netherlands, 94; between England and Spain for setting out a fleet, 97; of Prague, 102
Tretire, behaviour of Anthony Lapthorne at, ii. 211
Treves, Elector of, puts himself under French protection, i. 240
Trevor, Thomas, Baron of the Exchequer, argues with Yelverton, at the Durham Assizes, i. 160
Triumph of Peace, the, by Shirley, masque of, ii. 38
Tunbridge, Lord (Ulick Bourke), remonstrates against Wentworth's proceedings, ii. 295
Tytler, Peter, Vicar of Grantham, removes the Communion Table, i. 20

UDENHEIM. *See* Philippsburg
Ulster, Presbyterianism in, ii. 145; state of the settlers in, 150
Union between the Churches of Rome and England, discussion on a plan for the, ii. 238; Montague's opinion of, 243, 248
Universities, the, acknowledgment of Laud's right to visit, ii. 252
Usher, James, Archbishop of Armagh, recommends Sibbes for the Provostship of Trinity, Dublin, i. 309; protests against toleration in Ireland, 113; his part in procuring the adoption of the English Articles by the Irish Convocation, 143

VALENTINE, Benjamin, holds the Speaker in his chair, i. 91; is arrested, 100; applies for a *habeas corpus*, 115; information in the King's Bench brought against, 139; appears at the bar of the King's Bench, 144; fine imposed on, 149
Vane, Henry, emigrates to Massachusetts, ii. 281; is elected Governor, 283; declares for complete toleration, 285; returns to England, 287
— Sir Henry, Comptroller of the Household, his mission to the Hague, i. 127; his second mission, 136, 208; sent back to offer mediation between Spain and the Netherlands, 212; is sent to negotiate with Gustavus, 229; his first interview with him, 230; listens to his demands, 238; presents Charles's offers to Gustavus, 248; returns to England, 249
Vassall, Samuel, forced to pay impositions on currants, i. 205
Venloo, taken by the Prince of Orange, i. 253
Vere of Tilbury, Lord (Horace Vere), the Prayer Book read in his regiment in the Netherlands, ii. 21
Vicars, John, sentence of, in the High Commission, i. 301
Vienna, Taylor's arrival at, ii. 200; Arundel's arrival at, 266
Villiers, Eleanor, seduced by Henry Jermyn, ii. 47

WAKE, Sir Isaac, proposes to the French to act with Charles in Germany, i. 240; death of, 243
Wakes, the Somersetshire, ii. 24
Wallenstein fails to take Stralsund, i. 123; dismissal of, 213; is recalled to the command, and hems Gustavus in at Nüremberg, 248; meets Gustavus at Lützen, 250; intrigues with the French and Swedes, ii. 57; assassination of, 62

Waller, Mr., accuses Cosin, i. 76.
Walter, John, Chief Baron, his high reputation, i. 112; is asked to resign his place, 140; is suspended, 141
Waltham forest, Holland's justice-seat in, ii. 76, 172; Commission for pardoning encroachments in, 183
Wandesford, Sir Christopher, Master of the Rolls in Ireland, ii. 124; moves for subsidies in the Irish Parliament, 140
Ward, Samuel, preaching of, at Ipswich, ii. 219; proceedings against, in the High Commission, 220
Ware, removal of the Communion table at, ii. 216
Warwick, Earl of (Robert Rich), opposes Finch at the justice-seat in Waltham forest, ii. 76; resigns the Presidentship of the Council of New England, 279; resigns his grant of Connecticut, 260; protests against Ship-money, 316
Wedderburn, James, is consulted on the introduction of a Scottish Prayer Book, i. 363
Weimar, Bernhard of. *See* Bernhard.
Wentworth, Lady, death of, i. 277
Wentworth, Sir Peter, enforces, as Sheriff of Oxfordshire, the levy of Ship-money, ii. 190, 201
— Viscount, his speech at York, i. 39; compared to Coriolanus, 41, note 1; his political and ecclesiastical views, 41; looks for the co-operation of the people, 43; effect of the dissolution of Parliament on, 166; his constitutional views, 167; brings Dudley's paper of advice to the King, 171; becomes a Privy Councillor, 171; his friendship with Laud said to have begun at Leighton's trial, 186; his influence in the Privy Council, 196; his Northern education, 275; is insulted by Bellasys, 276; death of his wife, 277; is appointed Lord Deputy of Ireland, 278; sends for the Sheriff of Yorkshire, 279; his speech on the knighthood fines, 280; his letter on Foulis's offer to the King, 281; influences the Star Chamber against Foulis, 282; defends the jurisdiction of the Council of the North, 283; leaves Yorkshire for Ireland, 284; married life of, ii. 46; a letter from him produced by Laud against Portland, 66; his qualifications for the office of Lord Deputy, 117; explains his intention of disregarding the lawyers, 119; application of Machiavelli's maxims by, 119; his first measures, 120; arrives in Dublin and obtains the prolongation of the contribution, 121; his confidence in the power of government, 122; restores the discipline of the army, 123; his relations with the King, 124; remonstrates against Lorenzo Cary's appointment, 125; represses piracy and encourages trade, 126; examines into the state of the Church, 128; forces the Earl of Cork to surrender Church property, 132; effects changes at Christ Church, 133; prepares for a Parliament, 134; his resolution about the Graces, 135; opens Parliament, 137; asks in vain for an earldom, 140; his management of the parties, 141; dissolves Parliament, 142; threatens Convocation, 143; his management of the Church, 144; proposes to introduce fresh English colonists, 146; visits Connaught, 153; obtains a verdict for the King's title to Roscommon, Sligo, and Mayo, 153; finds resistance at Galway and threatens the jury, 154; character of his Irish policy, 155; his policy of Thorough, 160; the King inclined to make him Lord Treasurer, 162; is not consulted on English affairs, 294; his unpopularity at the English Court, 295; is careless of the offence which he gives, 296; determines to get rid of Mountnorris, 297; authorises civil proceedings against him, 298; brings him before a Council of War, 299; demands sentence of death on him, 300; his defence of his conduct, 301; defends himself before the English Council, 307; receives the King's approval, 310; insufficiency of his defence, 311; asks again in vain for an earldom, 312; gives an opinion against the proposed treaty with France, 326; declares an army to be necessary to the King, 328; character of his policy, 329; compared with Richelieu, 331; mischief of his principles, 332
Wesel, taken by the Dutch, i. 208
Westmeath, settlement of, ii. 107
Weston, Jerome, defends his father from Eliot's attack, i. 96; his mission to France and Italy, i. 247, 258, 260. *See* Weston, Lord
— Lord (Jerome Weston), brings

WES

Richelieu's terms to Charles, i. 261; opens a packet containing a letter from the Queen, 262; is challenged by Holland, 263
Weston, Lady, a recusant, i. 3
— Lord (Richard Weston), Lord Treasurer, his character, i. 3; his devotion to material interests, 4; disappoints the Danish ambassador of aid, 8; his difficulty about Tonnage and Poundage, 12; announces that the question of Tonnage and Poundage is to be settled in Parliament, 18, 19; his religion suspected, 45; threatened by Eliot with impeachment, 92; recommends a dissolution of Parliament, 100; his difficulty in meeting the expenses of the Crown, 106; corresponds with Coloma, 129; urges Charles to make peace with Spain, 131; his unpopularity, 132; his financial difficulties, 203; overtures of Richelieu to, 224; negotiates with the Abbot of Scaglia, 231; Massinger's attack on, 244; writes to his son about the Palatinate, 247; his admiration of material prosperity, 251; assures Richelieu of his wish for a French alliance, 259; speaks against Spain, 260; is created Earl of Portland. *See* Portland, Earl of
Wexford, settlement of, ii. 107.
Wheatley, Alderman, opposes the removal of Communion Table at Grantham, i. 31
Wheelwright, Mr., takes part with Mrs. Anne Hutchinson, ii. 284
Whitelocke, Bulstrode, takes part in the Inns of Court Masque, ii. 37
— Sir James, refuses Smart's application to call the Durham prebendaries to account at the Assizes, i. 65; his judgment on privilege of Parliament, 146
Widdowes, Giles, his book on bowing in Church criticised by Prynne, i. 293
Williams, John, Bishop of Lincoln, his decision on the dispute about the Communion Table at Grantham, i. 32; character of his ecclesiastical policy, 33; his opinion that Tonnage and Poundage will be paid, 108; visits Little Gidding, 313; his letter to the Mayor of Leicester on the position of the Communion Table, ii. 13
— Roger, banished from Massachusetts, ii. 278; founds Rhode Island, 279

WYV

Wilmot, Lord (Charles Wilmot), called to account by Wentworth, ii. 295
Wimborne, fraudulent appropriation of the property of the Grammar School at, ii. 210
Winchester, Bishop of. *See* Andrewes, Lancelot; Neile, Richard; and Curle, Walter
Windebank, Sir Francis, made Secretary of State, i. 243; appointed to treat with Necolalde, ii. 58; writes to Hopton on the condition of the negotiation with Spain, 60; searches for Coke's papers, 70; named a Commissioner of the Treasury, 72; presses the Spaniards to conclude a treaty with England, 94; named a commissioner to treat with France, 95; his quarrel with Laud, 171; argues on behalf of Bagg in the Star Chamber, 187; receives Panzani, 237; expresses a wish for a union between the Churches of England and Rome, 238; discusses the terms of union, 239; fears that it cannot be speedily effected, 240; complains that the members of the House of Commons inheriting Church property were the King's enemies, 241, hesitates about changing his religion, 242; attempt of Juxon to reconcile him and Laud, 254; sent into confinement for a few days, 269; proposes it Oñate another treaty for the Palatonate, 334; orders Boswell to come to an understanding with the Dutch fishermen, 334
Winthrop, John, his early life, i. 187; determines to go to New England, 189; sails for America, 192; takes part against Mrs. Anne Hutchinson, ii. 285
Witch of Edmonton, The, its treatment of the belief in witchcraft, ii. 29
Witchcraft, belief in, ii. 28; supposed cases of, in Lancashire, 29
Wittstock, Swedish victory at, ii. 271
Witty Fair One, The, Shirley's play of ii. 38; note 2
Women of England, the Protestantism of, ii. 48
Workman, John, his sermons at Gloucester, ii. 212
Würzburg, interview between Gustavus and Vane at, i. 230
Wyville, Mr., compounds for his knighthood fine, i. 279

YAR

YARMOUTH, report of the metropolitical visitation of, ii. 209
Yelverton, Henry, Justice of the Common Pleas, his conduct upon being appealed to by Peter Smart, i. 160;

YOR

recommends Sibbes for the preachership of Gray's Inn, 309
York, Wentworth's speech at, i. 39
— Archbishop of. *See* Harsnet, Samuel, and Neile, Richard

THE END.



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INDEX.

PAGE

Acton's Modern Cookery 24
Alpine Club Map of Switzerland 20
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——— Primer of the Constitution 6
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Armitage's Childhood of the English Nation 4
Armstrong's Organic Chemistry 12
Arnold's (Dr.) Christian Life 17
——— Lectures on Modern History 2
——— Miscellaneous Works 7
——— School Sermons 17
——— Sermons 17
——— (T.) Manual of English Literature 7
——— Beowulf 21
Arnott's Elements of Physics 11
Atelier (The) du Lys 20
Atherstone Priory 21
Autumn Holidays of a Country Parson ... 8
Ayre's Treasury of Bible Knowledge 9, 23

Bacon's Essays, by *Whately* 6
——— Life and Letters, by *Spedding* ... 6
——— Works 6
Bain's Mental and Moral Science 7
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Barry on Railway Appliances 12
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Blackley's German-English Dictionary 9
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Bloxam's Metals 12
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Boultbee on 39 Articles 16
Bourne's Catechism of the Steam Engine . 16
——— Handbook of Steam Engine 16
——— Treatise on the Steam Engine ... 15
——— Improvements in the same 15
Bowdler's Family *Shakespeare* 21
Bramley-Moore's Six Sisters of the Valleys . 21
Brandé's Dictionary of Science, Literature, and Art 13
Brinkley's Astronomy 10
Browne's Exposition of the 39 Articles 16

PAGE

Buckle's History of Civilisation 2
——— Posthumous Remains 7
Buckton's Health in the House 14
Bull's Hints to Mothers 23
——— Maternal Management of Children . 23
Burgomaster's Family (The) 21
Burke's Vicissitudes of Families 5

Cabinet Lawyer 23
Campbell's Norway 20
Capes's Age of the Antonines 4
——— Early Roman Empire 4
Cates's Biographical Dictionary 5
——— and *Woodward's* Encyclopædia ... 3
Cayley's Iliad of Homer 21
Changed Aspects of Unchanged Truths ... 8
Chesney's Indian Polity 2
——— Modern Military Biography 2
——— Waterloo Campaign 3
Church's Sketches of Ottoman History ... 1
Colenso on Moabite Stone &c. 19
———'s Pentateuch and Book of Joshua. 19
Commonplace Philosopher in Town and Country 8
Comte's Positive Polity 5
Congreve's Politics of Aristotle 6
Conington's Translation of Virgil's Æneid 21
——— Miscellaneous Writings 8
Contanseau's Two French Dictionaries ... 8
Conybeare and *Howson's* Life and Epistles of St. Paul 17
Counsel and Comfort from a City Pulpit ... 8
Cox's (G. W.) Aryan Mythology 3
——— Athenian Empire 4
——— Crusades 4
——— General History of Greece 3
——— Greeks and Persians 4
——— History of Greece 3
——— Tales of Ancient Greece ... 21
Creighton's Age of Elizabeth 4
Cresy's Encyclopædia of Civil Engineering 16
Critical Essays of a Country Parson 8
Crookes's Anthracen 16
——— Chemical Analyses 14
——— Dyeing and Calico-printing 16
Culley's Handbook of Telegraphy 15
Curteis's Macedonian Empire 4

Davidson's Introduction to the New Testament 18
D'Aubigné's Reformation 18
De Caisne and *Le Maout's* Botany 14

	PAGE
De Tocqueville's Democracy in America...	5
Dobson on the Ox	22
Dove's Law of Storms	10
Dowell's History of Taxes	6
Doyle's (R.) Fairyland	14
Eastlake's Hints on Household Taste	15
Edwards's Rambles among the Dolomites	20
——— Nile	19
——— Year in Western France	19
Elements of Botany	13
Ellicott's Commentary on Ephesians	17
——— Galatians	17
——— Pastoral Epist.	17
——— Philippians, &c.	17
——— Thessalonians	17
——— Lectures on Life of Christ	17
Elsa, a Tale of the Tyrolean Alps	21
Epochs of Ancient History	4
——— Modern History	4
Evans' (J.) Ancient Stone Implements	13
——— (A. J.) Bosnia	19
Ewald's History of Israel	18
——— Antiquities of Israel	18
Fairbairn's Application of Cast and Wrought Iron to Building	16
——— Information for Engineers	16
——— Life	4
——— Treatise on Mills and Millwork	16
Farrar's Chapters on Language	8
——— Families of Speech	8
Finlason's Judicial System	24
Fitzwygram on Horses and Stables	22
Forbes's Two Years in Fiji	19
Frampton's (Bishop) Life	5
Francis's Fishing Book	22
Freshfield's Italian Alps	19
Froude's English in Ireland	2
———History of England	2
———Short Studies	7
Gairdner's Houses of Lancaster and York	4
Ganot's Elementary Physics	11
——— Natural Philosophy	11
Gardiner's Buckingham and Charles	2
——— Personal Government of Charles I.	2
——— First Two Stuarts	4
——— Thirty Years' War	4
Geffcken's Church and State	6
German Home Life	7
Gilbert & Churchill's Dolomites	20
Girdlestone's Bible Synonyms	17
Goldziher's Hebrew Mythology	17
Goodeve's Mechanics	12
——— Mechanism	12
Grant's Ethics of Aristotle	6
Graver Thoughts of a Country Parson	8
Greville's Journal	2
Griffin's Algebra and Trigonometry	12
Griffith's Behind the Veil	18
Grohman's Tyrol and the Tyrolese	19
Grove (Sir W. R.) on Correlation of Physical Forces	11
——— (F. C.) The Frosty Caucasus	19
Gwilt's Encyclopædia of Architecture	15
Hale's Fall of the Stuarts	4
Hartley on the Air	10
Hartwig's Aerial World	12
——— Polar World	12
——— Sea and its Living Wonders	12
——— Subterranean World	13
——— Tropical World	12
Haughton's Animal Mechanics	11
Hayward's Biographical and Critical Essays	5
Heer's Primeval World of Switzerland	13
Heine's Life and Works, by Stigand	4
Helmholtz on Tone	11
Helmholtz's Scientific Lectures	11
Hemsley's Trees and Shrubs	14
Herschel's Outlines of Astronomy	10
Hinchliff's Over the Sea and Far Away	19
Hobson's Amateur Mechanic	15
Hoskold's Engineer's Valuing Assistant	15
Howorth's Mongols	3
Hullah's History of Modern Music	13
——— Transition Period	13
Hume's Essays	7
——— Treatise on Human Nature	7
Ihne's Rome to its Capture	4
——— History of Rome	3
Indian Alps	19
Ingelow's Poems	21
Jameson's Legends of the Saints & Martyrs	15
——— Legends of the Madonna	15
——— Legends of the Monastic Orders	15
——— Legends of the Saviour	15
Jenkin's Electricity and Magnetism	12
Jerram's Lycidas of Milton	21
Jerrold's Life of Napoleon	2
Johnston's Geographical Dictionary	9
Jukes's Types of Genesis	18
——— on Second Death	18
Kalisch's Commentary on the Bible	17
Keith's Evidence of Prophecy	17
Kerl's Metallurgy, by *Crookes* and *Röhrig*.	16
Kirby and *Spence's* Entomology	12
Kirkman's Philosophy	7
Knatchbull-Hugessen's Whispers from Fairy-Land	20
——— Higgledy-Piggledy	20
Kuenen's Prophets and Prophecy in Israel	17
Landscapes, Churches, &c.	8
Latham's English Dictionaries	8
——— Handbook of English Language	8
Lawrence on Rocks	13
Lecky's History of European Morals	3
——— Rationalism	3
——— Leaders of Public Opinion	5
Lefroy's Bermudas	19
Leisure Hours in Town	8
Lessons of Middle Age	8
Lewes's Biographical History of Philosophy	4
Lewis on Authority	7

	PAGE
Liddell and *Scott's* Greek-English Lexicons	9
Lindley and *Moore's* Treasury of Botany..13,	22
Lloyd's Magnetism	11
—— Wave-Theory of Light	11
Longman's (F. W.) Chess Openings	23
—— German Dictionary	9
—— (W.) Edward the Third	2
—— Lectures on History of England	2
—— Old and New St. Paul's	15
Loudon's Encyclopædia of Agriculture	16
—— Gardening	16
—— Plants	13
Lubbock's Origin of Civilisation	13
Ludlow's American War	4
Lyra Germanica	18
Macaulay's (Lord) Essays	1
—— History of England	1
—— Lays of Ancient Rome 14,	21
—— Life and Letters	4
—— Miscellaneous Writings	7
—— Speeches	7
—— Works	1
—— Writings, Selections from	7
MacColl's Eastern Question	1
McCulloch's Dictionary of Commerce	9
Macleod's Economical Philosophy	6
—— Theory and Practice of Banking	24
—— Elements of Banking	24
Mademoiselle Mori	21
Malet's Annals of the Road	22
Marshall's Physiology	14
Marshman's Life of Havelock	5
Martineau's Christian Life	19
—— Hours of Thought	19
—— Hymns	18
Maunder's Biographical Treasury 5,	23
—— Geographical Treasury	23
—— Historical Treasury	23
—— Scientific and Literary Treasury	23
—— Treasury of Knowledge 9,	23
—— Treasury of Natural History..13,	23
Maxwell's Theory of Heat	12
May's History of Democracy	2
—— History of England	2
Melville's Digby Grand	21
—— General Bounce	21
—— Gladiators	21
—— Good for Nothing	21
—— Holmby House	21
—— Interpreter	21
—— Kate Coventry	21
—— Queen's Maries	21
Mendelssohn's Letters	4
Merivale's Fall of the Roman Republic	3
—— General History of Rome	3
—— Roman Triumvirates	4
—— Romans under the Empire	3
Merrifield's Arithmetic and Mensuration	12
Miles on Horse's Foot and Horse Shoeing	22
—— on Horse's Teeth and Stables	22
Mill (J.) on the Mind	6
—— Dissertations & Discussions	6
—— Essays on Religion	17
—— Hamilton's Philosophy	6
—— (J. S.) Liberty	5
—— Political Economy	5
Mill (J. S.) Representative Government	5
—— System of Logic	6
—— Unsettled Questions	5
—— Utilitarianism	5
—— Autobiography	5
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—— Inorganic Chemistry	12
Mitchell's Manual of Assaying	16
Modern Novelist's Library	21
Monsell's Spiritual Songs	18
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—— St. John	18
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Pole's Game of Whist	23
Preece & Sivewright's Telegraphy	12
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—— Moon	10
—— Orbs around Us	10
—— Other Worlds than Ours	10
—— Saturn	10
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—— Sun	10
—— Transits of Venus	10
—— Two Star Atlases	10
—— Universe	10
Prothero's De Montfort	2
Public Schools Atlas of Ancient Geography	9
—— Atlas of Modern Geography	9
Rawlinson's Parthia	3
—— Sassanians	3
Recreations of a Country Parson	8
Redgrave's Dictionary of Artists	14
Reeve's Residence in Vienna and Berlin	19
Reilly's Map of Mont Blanc	20
—— Monte Rosa	20
Reresby's Memoirs	5
Reynardson's Down the Road	22

	PAGE
Rich's Dictionary of Antiquities	9
Rivers's Rose Amateur's Guide	13
Rogers's Eclipse of Faith	17
—— Defence of Eclipse of Faith	17
—— Essays	5
Roget's Thesaurus of English Words and Phrases	8
Ronald's Fly-Fisher's Entomology	22
Roscoe's Outlines of Civil Procedure	6
Rothschild's Israelites	18
Sandars's Justinian's Institutes	6
Sankey's Sparta and Thebes	4
Savile on Apparitions	8
—— on Primitive Faith	17
Schellen's Spectrum Analysis	10
Scott's Lectures on the Fine Arts	14
—— Poems	14
Seaside Musing	8
Seebohm's Oxford Reformers of 1498	3
—— Protestant Revolution	4
Sewell's History of France	2
—— Passing Thoughts on Religion	18
—— Preparation for Communion	18
—— Questions of the Day	18
—— Self-Examination for Confirmation	18
—— Stories and Tales	21
—— Thoughts for the Age	18
Shelley's Workshop Appliances	12
Short's Church History	3
Smith's (*Sydney*) Essays	7
—— Wit and Wisdom	7
—— (Dr. R. A.) Air and Rain	10
—— (R. B.) Rome and Carthage	4
Southey's Poetical Works	21
Stanley's History of British Birds	13
Stephen's Ecclesiastical Biography	5
Stonehenge on the Dog	22
—— on the Greyhound	22
Stoney on Strains	16
Stubbs's Early Plantagenets	4
Sunday Afternoons at the Parish Church of a University City	8
Supernatural Religion	18
Swinbourne's Picture Logic	6
Taylor's History of India	2
—— Manual of Ancient History	4
—— Manual of Modern History	4
—— (*Jeremy*) Works, edited by *Eden*	18
Text-Books of Science	12
Thomé's Structural and Physiological Botany	12, 13
Thomson's Laws of Thought	7
Thorpe's Quantitative Analysis	12
Thorpe and *Muir's* Qualitative Analysis	12
Tilden's Chemical Philosophy	12, 14
Todd on Parliamentary Government	2
Trench's Realities of Irish Life	7
Trollope's Barchester Towers	21
—— Warden	21
Twiss's Law of Nations	6
Tyndall's American Lectures on Light	11
—— Diamagnetism	11
—— Fragments of Science	11
—— Heat a Mode of Motion	11
—— Lectures on Electricity	11
—— Lectures on Light	11
—— Lectures on Sound	11
—— Molecular Physics	11
Unawares	21
Unwin's Machine Design	12
Ure's Dictionary of Arts, Manufactures, and Mines	16
Vaughan's Trident, Crescent, and Cross	18
Walker on Whist	23
Warburton's Edward the Third	4
Watson's Geometry	12
Watts's Dictionary of Chemistry	14
Webb's Objects for Common Telescopes	10
Weinhold's Experimental Physics	11
Wellington's Life, by *Gleig*	5
Whately's English Synonymes	8
—— Logic	6
—— Rhetoric	6
White and *Riddle's* Latin Dictionaries	9
Whitworth's Measuring Machine	15
Wilcocks's Sea-Fisherman	22
Williams's Aristotle's Ethics	6
Willich's Popular Tables	24
Wood's (J. G.) Bible Animals	12
—— Homes without Hands	12
—— Insects at Home	12
—— Insects Abroad	12
—— Out of Doors	12
—— Strange Dwellings	12
—— (J. T.) Ephesus	19
Woodward's Geology	13
Wyatt's History of Prussia	2
Yonge's English-Greek Lexicons	9
—— Horace	21
Youatt on the Dog	22
—— on the Horse	22
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